

THE ENVIRONMENT AND NATURAL RIGHTS

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By Uchenna W. Osigwe

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ABSTRACT

The argument advanced in this thesis is that the entities that make up the environment are those that do not owe their origin to any willful creative activity but have evolved through accidental natural processes. This fact of not being willfully created makes the environment ontologically independent and confers on it intrinsic value as opposed to instrumental value. This intrinsic value is one that all the entities that make up the environment share. It is further argued that this intrinsic value is aesthetic rather than moral. Only beings that are specially endowed with certain capacities, like reflection and understanding, could be said, in the context of this work, to have intrinsic moral value in the sense of being moral agents. But as moral agents, we need to give moral considerability to all the natural entities in the environment since they share the same natural right with us, based on our common origin. So, even though the nonhuman, natural entities in the environment do not have moral rights, they have natural rights. It is further argued that this natural right could be best safeguarded in a legal framework.

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A work like this, although put together by one person, is always the fruit of many. This is even more true for a work on the environment of which we are all part. Acknowledgement is therefore due to all the entities that make up the environment—from mountains, rivers and forests, plants and animals of diverse kinds, to the Earth and the Universe.

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To everyone else, I say, “*Onye na nkie onye na nkie*”.

Dedication

TO

The environmental rights campaigner,

KEN SARO-WIWA

Who, in the words of Ralph Waldo Emerson,

“...thought it happier to be dead,

To die for Beauty, than live for bread”.

And was

**‘JUDICIALLY MURDERED’ ON 10 NOVEMBER
1995 by the Nigerian state.**

I dedicate this work.

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INTRODUCTION

Wonder! Our environmental consciousness begins with wonder. Most environmentalists, of differing persuasions and disciplines, attest to this fact. We see things around us, and we marvel at them in a spontaneous manner. Philosophy was actually founded on this wonder about the nature of the entities that surround us. This is why the pre-Socratics, who laid the foundation for philosophy as a discipline, have been described as physicists. They went beyond just being awed by the natural entities around them to a careful observation of the processes those entities undergo. They observed that both they and the entities were changing in a perpetual manner. They then began to inquire into what could be permanent so as to underlay that change. It is remarkable that these thinkers thought that all organic entities in the universe were made up of inorganic substances, instead of looking beyond the world for their origin. For Thales, for example, it was *water*, for Anaximenes, it was *air*, and for Anaximander, it was what he called the *indeterminate boundless*, that was permanent. For Heraclitus, it was change itself, brought about by fire, which was permanent. The investigation and observations of these thinkers led them to posit that there are four underlying elements for all the entities in the universe, namely, water, air, fire, and earth. So, these four elements were isolated as being permanent in the midst of all the observable changes. This inquiry was to culminate in Plato, who postulated that there is a world of Forms that is devoid of change. That was, for Plato, the real world. The world we live in is but an illusion, at best, an imitation of that real world of Forms. With this theory, Platonism launched an ontological devaluation of the world we know, calling it an illusion that human beings are, in a way, condemned to pass through before getting to the real world. Arguably therefore, our world, in Plato's postulation, has no real worth of its own except to refer us to a better, real and perfect world of unchangeable Forms.

So what began as a wonder that led to physical inquiries by the pre-Socratics (a wonder that had some beautiful expressions, as we shall see later in Heraclitus, for instance); became in Platonism a distinctly metaphysical enterprise, leading to a very sharp dualism between what is real and what is apparent. But seeing nature or the environment¹ as simply a mere appearance is not unique to Platonism, nor did it originate with it. As we shall see, some

¹ These terms will be used interchangeably throughout this work.

religious and cultural traditions hold similar theories about the environment. However, Christianity—or Christendom—which Nietzsche aptly described as “Platonism for ‘the people’”² exhibits a more distinct Platonic influence in its theoretical (philosophical and theological) foundation, especially in its understanding of the environment and the place of human beings in it. This is because Christian dogma has taught, not only that human beings are essentially different from nature, but also that she is God’s gift to them, to do with as they wished.

My aim in this work is to appeal again to that initial wonder that is at the foundation of our environmental consciousness. I am therefore arguing firstly that we are part of the environment, a clever part to be sure, secondly, that the environment does not depend on us for its existence. In other words, our knowledge of the environment depends on the way it is so that what we do is try to describe what we see. It is not our knowledge that determines what is there but rather what is there that determines our knowledge or description. I also argue that the environment is not purposely brought about by any agent whatsoever. There is no invisible world on which this world depends for its being. An adequate account of the environment requires that we reject conceptions of reality which include the *noumenal* world or world of forms. These are concepts that have no basis whatsoever in reality except in the minds of those who conceive them. I argue that there is no creator who created the world for whatever purpose such a creator may have in mind. As Emma Goldman says, “Only after the triumph of the Atheistic philosophy in the minds and hearts of man will freedom and beauty be realized. Beauty, as a gift from heaven has proved useless. It will, however, become the essence and impetus of life when man learns to see in the earth the only heaven fit for man.”³ Once we see that nature has no purpose, we are able to recognize both its ontological independence and its intrinsic value. These qualities of the environment should elicit an attitude of respect from us. This attitude of respect, I posit, should be tied to the intrinsic aesthetic value of the environment. My main aim in this work is to explore how this attitude of respect could be best realized.

The major issues I am dealing with in this thesis, therefore, are: What is the environment? Does the environment have ontological independence? Does it have intrinsic value? What should be our attitude to the environment? On what can a viable ethic of the

² Nietzsche, Friedrich. *Beyond Good and Evil*, prelude to a philosophy of the future, preface.

³ Emma, Goldman. *Anarchism and Other Essays*, p. 415.

environment be founded? The thesis itself sets out to show that a viable environmental ethic can be founded on the intrinsic aesthetic value of the environment.

In the first chapter, I take a look at the attitude of some religions and cultures to the environment. As already mentioned, we see a markedly dualistic attitude regarding the environment in these cultures and religions. I want to show that the major weakness of these cultures and religions lies in this dualism. I start with the Igbo (African) traditional religion and culture and examine briefly its attitude to the environment. We shall see how this system cultivated reverence for the environment and why. In the same way, I will touch on Hinduism, Buddhism and Christianity and their attitudes to the environment. Lynn White, in his well known article from the seventies, namely, “The Historical Root of Our Ecological Crisis”⁴ has argued that Christian dogma is responsible for the current environmental crisis we are facing. White’s point is that Christian dogma taught people not only to see themselves as essentially different from nature but to also see it as their property, given to them by God. As Christianity—which is a conquering religion—took root in the West and as the West became the dominant cultural, political, economic and scientific force in the world, this attitude became pervasive. This, then, led to the despoliation of our planet and has left us with the environmental crisis we are having to deal with now. I briefly examine this problem as well as the difficulties inherent in the other religions and cultures mentioned. The views of some of those who think that White’s criticism is misplaced will also be appraised. The chapter is called the problem because in all these religions and cultures, respect for the environment is primarily based on the invisible world, the abode of God, spirits, ancestors, deities, and other invisible forces. What this means is that the respect or reverence shown to the entities in the environment is likely to be done in obeisance, supplication, or simply in a bid to be in harmony with these extra-terrestrial entities. What this shows is that the natural entities do not really have any worth of their own once they are no longer seen as a link to these supposedly “higher” beings. Another difficulty is that this approach is invariably selective. For instance, a tree or a river that is believed to harbour the spirits of ancestors or relatives will receive much more respect than other trees or rivers that are not seen as such. Respect or reverence for the entities in the environment is therefore grounded on how important their other-worldly connections are. This results in an approach to the environment which is removed from nature

⁴ This article first appeared in *Science*, Vol. 155, pp 1203-1207 (10 March 1967).

itself. This mediated respect for the environment is weak in a way that a direct connection to the environment is not.

The second and third chapters deal with the arguments that respect for the environment should not go beyond the entities themselves. This is because, given their nature, they are worthy of such respect on their own. In exploring their nature, I talk of their ontological independence, which is the subject of the second chapter. What is the justification of this independence? I argue that the source of this justification is to be found in the origin of the environment which is as a result of independent and accidental natural processes. This will point to the fact that the environment has no purpose as such, in contradistinction from artifacts whose origin depends on their willful creators who create them for a purpose. It is in this second chapter that I define the environment. This chapter also addresses the issue of accidental creations and reproduction and human idealism (or narrow anthropocentrism) as an obstacle to recognizing the ontological independence of the environment. As human beings, we construct things, physically and mentally. But the environment, of which we are but a part, is not our creation. The main thrust of the chapter is therefore the origin and purpose—or lack of it—of the environment. In the light of the purposelessness of the environment, can the theory of creation *ex nihilo* hold, for instance?

The argument for the ontological independence of the environment leads to the argument for its intrinsic value, which is the subject of Chapter Three. Again, purpose and purposelessness as it concerns the environment are crucial to the argument of this chapter. I contrast intrinsic value with instrumental value in order to show that whereas natural entities have intrinsic value first and foremost and then may accidentally have instrumental value, artifacts have only instrumental value. I also argue that the intrinsic value of the environment is aesthetic and not moral. I argue in favour of the aesthetic value of the environment. This is because I take it, for my purposes here, that only humans are moral agents and so we cannot talk of morality in the context of environmental philosophy as if non-human natural objects are moral agents. Again, morality in its religious sense, usually means the “will of God”. In this sense, what is moral would be what is pleasing to God. This generally disconnects the issue of how we should treat the environment from the environment itself. Aesthetic value, on the other hand, is centered on the things themselves, on the way they *actually are* and does not

seek to find their worth as based on anything outside themselves. Their aesthetic worth also does not depend on any concept or law to which they must absolutely conform.

In arguing that the environment has intrinsic aesthetic and not moral value, I rely, among others, on Kant who distinguished between the way we appreciate what is natural on the one hand, and the way we appreciate what is artificial on the other. For Kant, the appreciation of natural objects is subjective, grounded on feelings and conceptless. But artifacts are creations, created with the concepts in the minds of their creators. The appreciation of artifacts must therefore largely conform to the concepts of their creators.

In the last part of the chapter, I attempt to see if other beings, apart from humans, happen to value these natural entities, would it then prove that their value does not depend on human beings but are intrinsic?

The fourth and last chapter explores the relationship between the aesthetic value of the environment and environmental ethics. I argue that the recognition of the intrinsic aesthetic value of the environment could be an adequate ground for promulgating laws that could reflect such values. I will also argue, following Spinoza, that recognizing the intrinsic value of the environment does not mean that we could not appropriate it for our own good. What is important is how and why we do it. The conclusion will affirm that a viable environmental ethic could therefore be based on the intrinsic aesthetic value of the environment.

CHAPTER ONE

THE PROBLEM

“Human belief and practice mark the earth. One can hardly think of a natural system that has not been considerably altered, for better or worse, by human culture.”⁵

I.1. INTRODUCTION

Sociologists, psychologists, medical practitioners, and some other professionals, define wellness as a balance and harmony. They are always quick to point out the relationship between wellness and health where the latter is not just the absence of disease but rather a sense of complete physical, mental and social well-being in living organisms. According to Phil Brown, “...health and illness cannot be understood simply by looking at biological phenomena and medical knowledge. Rather, it is necessary to situate health and illness in the framework of larger political, economic, and cultural forces.”⁶ Some philosophers, notably Rousseau, Nietzsche, are fond of talking of an imaginary “State of Nature” where this balance and harmony were maintained until quite recently. We are realizing more and more that our planet may not be as healthy as we may want to believe. There now seems to be a general agreement that we have an environmental crisis to deal with on our planet. We are realizing with each passing day that the earth may not continue to sustain the kind of impact being put on her by the entities in her bosom, especially human beings. Peacock lists some of these impacts: “...soil erosion, escalating desertification, deforestation, depletion of fisheries, extinctions of plant and animal species, various forms of pollution both subtle and overt, nuclear waste and leakage, overpopulation, depletion of petroleum reserves, global warming, the ozone hole, urban and industrial garbage, loss of productive land to urbanization, stripmining and industrialization, and the ever-growing burden of human poverty.”⁷

Peacock’s list seems to restrict the activities on the environment to human beings. However, it is important to point out that every organism impacts its environment in one way

⁵ Sullivan, Lawrence E. In the preface, *Buddhism and Ecology* p.xi, edited by Mary Evelyn Tucker and Duncan Ryuken Williams.

⁶ Brown, Phil. *Perspectives in Medical Sociology*, p. ix.

⁷ Peacock, Kent A. *Living with the Earth, an introduction to environmental philosophy*, p. 9.

or another. The amount, quality, and sort of gas that is present in the environment affects all the living organisms in the atmosphere. Plants affect the soil as they sink in their roots. Every organism in the environment affects every other organism in the environment either directly or indirectly. Every living organism affects its environment, even if it is only through respiration. But whereas the activities of other entities in the environment are mostly spontaneous, those of human beings are more willful. According to Lewontin, "...we certainly have a power that other organisms do not have, both to change the world extremely rapidly and, by willful activity, to change the world in various ways that we may think beneficial."⁸

From the foregoing, it is clear that human beings' activities have the greatest effect on the environment. Of all the entities in the environment, human beings are the ones whose interaction with the environment has been most problematic. In the last two millennia at least, there has been a pervasive belief that the environment is primarily for human beings to do with as they please. This is because we like to think of ourselves as different from the rest of nature, despite arguments from philosophers like Nietzsche and thinkers of all persuasions who state that human beings are really not different from nature. According to John Seeds, the more we assimilate the implications of evolution, the more we feel less alienated from the rest of nature and begin to identify with all of nature as made up of the same components as we are.⁹ Also, as Aldo Leopold has pointed out, "The land ethic changes the role of homo sapiens from conqueror of land community to plain member and citizen of it. It implies respect for his fellow-members, and also respect for the community as such."¹⁰

As the opening epitaph says, human belief and culture affect the environment. The role religion and religious practices play in informing the way human beings treat the environment has been largely overlooked by some environmentalists who lay more emphasis on the role science and technology play on the way we treat the environment. According to Sullivan,

Ignorance of religion prevents environmental studies from achieving its goals, however, for though science and technology share many important features of human culture with religion, they leave unexplored essential wellsprings of human motivation and concern that shape the world as we know it. No understanding of the environment is adequate

⁸ *Ibid*, p. 160

⁹ Seed, John. "Anthropocentrism" in *Deep Ecology*, Quoted in Rowlands Mark, *Environmental Crisis* p. 169

¹⁰ Leopold, Aldo. "The Land Ethic" in *A Sand County Almanac*, p.219-220.

without a grasp of the religious life that constitutes the human societies which saturate the natural environment.¹¹

Some cultures and religions hold that human beings are essentially different from nature while others do not. Why have human beings been thought of as essentially different or not different from the rest of nature? What are the consequences of such views? These are the issues I want to deal with in this chapter. I will talk briefly of three religious traditions: Igbo (African), Eastern and Western. I chose these three because I believe they could be taken to represent—more or less—the dominant contemporary religious tendencies towards the environment. I begin with Igbo¹² (African) traditional religion and culture.

1.2. IGBO CULTURE, RELIGION AND ATTITUDE TO THE ENVIRONMENT

What marks the Igboman's attitude to the environment is respect and reverence, which is informed by his religious beliefs. God is believed to be in heaven (identified as the sky) which is his exclusive abode while the earth is for human beings. So, although God lives in heaven, his spirit permeates the earth. Everything in the universe is believed to be created by him. It is absolutely important for the Igboman to live in harmony with nature as that means living in harmony with God whose spirit is present in his creation. This is why the Igboman reveres nature and strives to live in harmony with her.¹³ Both animate and inanimate entities (objects) are worshipped and revered as being essential to human well being and for general harmony in nature.

¹¹ Sullivan, Lawrence E. *op.cit.*, p.xiii.

¹² Context is very important here. In Nigeria for instance, there are more than 250 ethnic groups and each group has something that differentiates it from the others. It would be naïve to talk of a Nigerian culture or religion. It would be misleading or at best naïve to talk of African or Nigerian culture or traditional religion in a homogenous sense. Talking of African traditional religion without qualification would make little or no sense to anybody who has any knowledge of the African way of life. Such a person would readily ask you: 'Which Africa are you talking of? Are you talking of the Akan or the Zulu, the Kikuyu or the Dinka, the Igbo or the Ewe, etc, etc.?' If it is Nigerian traditional religion, the person is likely to ask 'Are you talking of the Tiv or the Ogoni, the Edo or the Birom, the Igbo or the Hausa, the Yoruba or the Kumo, etc, etc.?' In my case, I will be talking of the Igbo traditional religion which, even though it has variations here and there, has the same basic tenets. I must add here, though, that the traditional Igbo and African attitude to the environment merits a more detailed study than I can undertake here. In any case, whenever Africa or African appears in this work, it should be taken to refer to the Igbo culture and religion.

¹³ I use the male gender for God and the female gender for Nature in this section on Igbo culture and religion. This does not mean that I am arguing that God is male while Nature is female. The Igbo culture saw God as male and Nature or the earth as a goddess. I am only referring to it as a historical fact.

The earth, from which the Igbo gets his nourishment, is worshipped and revered as a goddess. Before digging any hole in the ground, either for building a house, for planting crops, for building a road, for burying the dead, etc, the Igboman seeks a kind of permission from the earth goddess. This usually takes the form of propitiation and appeasement. The planting season and the period of harvesting are particularly reserved for paying homage to *Ani* or the earth goddess. In some communities, whole weeks are consecrated to the goddess during which certain activities are to be avoided in order to honour her and ask for her favour, as we can see from what Chinua Achebe says of it. Here, it is the priest of the goddess who addresses a member of the town, Okonwo, who had violated the week of peace by beating his wife. ““You are not a stranger in Umuofia. You know as well as I do that our forefathers ordained that before we plant any crops in the earth we should observe a week in which a man does not say harsh words to his neighbour. We live in peace with our fellows to honour our great goddess of the earth without whose blessing our crops will not grow. You have committed a great evil.”¹⁴ Disrespect for the goddess is usually believed to result in poor harvest and consequently death (from starvation). During the harvesting period, the goddess is also celebrated. Throughout Igboland, this is usually done in the form of New Yam Festivals that have survived to this day. Again, as Achebe noted, talking about Umuofia: “The feast of the New Yam was approaching and Umuofia was in a festive mood. It was an occasion for giving thanks to *Ani*, the earth goddess and the source of all fertility.”¹⁵ The earth goddess holds a central and crucial position in the Igbo cosmogony and theory of the universe because of the roles she plays in the life of human beings, animals and plants. According to Achebe, “Ani played a greater role in the life of the people than any other deity. She was the ultimate judge of morality and conduct. And what was more, she was in close communion with the departed fathers of the clan whose bodies are committed to earth.”¹⁶ It was believed that the earth goddess could reject and indeed did reject that some people be buried in her bowel if they died of certain illnesses that are considered to be punishments from her for disobeying her rules. Hills, mountains, rivers, forests, oceans, the sun, the moon, plants, and animals are similarly worshipped and revered. Most forests have days in which one should not go into them without incurring the wrath of the gods. Trees can also be cut down in the forests only

¹⁴ Achebe, Chinua. *Things Fall Apart*, p. 22.

¹⁵ *Ibid*, p. 26.

¹⁶ *Ibid*, p. 26.

after due consultation with the priests of the gods who own the forests. There are forests whose gods do not want to be disturbed so they are left alone and no one goes into them except on special occasions and with the permission of the gods, through their priests. Hills, mountains, rivers, and oceans also have their gods. If, for instance, a project like road construction would pass through a particular hill or mountain, the gods are first consulted to seek their permission and blessing. Until such permission is obtained, from the priests, the project will not be executed. This is also true of rivers, springs, streams, oceans, etc. Respect for them entails that things are not dumped in them indiscriminately. They are regularly kept clean and sacrifices are made to them to appease them from time to time. This is particularly true of rivers where people are often drowned. They are held in special awe and everybody tries to avoid going against their rules, like not going in them in certain days of the week, etc. The rules of these gods are enacted as taboos and it is through them that respect for the environment is inculcated in the larger populace. It was not unheard of that human beings were sometimes sacrificed to appease the gods. But it is important to note here that the gods do not abhor things because they are taboos, rather they are taboos because the gods abhor them. And the gods speak only through the priests and elders. What it boils down to is that the elders are the sages who make the rules for the respect of the environment and these rules are given divine provenance and authority in the form of taboos.

It is therefore very important to the Igbo that he lives in harmony with the environment. When objects like rivers, hills or forests are abused, the Igbo sees it as desecration and tries to make amends. It is generally believed that if a river, tree, land, or a forest, etc, is desecrated, it would always have adverse effects (like poor harvest, untimely death, barrenness, etc) if not on the perpetrators, then certainly on their descendants. So these objects are treated with reverence, even when they are to be used to meet human needs. A farmer who mistakenly breaks a tuber of yam humbly apologizes to it. As Ede noted, speaking of the Igbo cultural way of handling material things: “Take the farmer’s way of handling his yams. When he gathers his yams into his barn, he handles them with care. If it happens that in the process of lifting the tuber of the yams, it falls and breaks on the ground, he immediately picks up the broken pieces whispering thus: ‘Ezeji amaro uma kwuli gi.’— (king of yams, I did not willfully break you).”¹⁷ Similarly, a person who wants to slaughter an

¹⁷ Edeh, Emmanuel M.P. *Towards An Igbo Metaphysics*, p. 78.

animal would first “talk” to the animal, explaining that he is not doing it out of hatred or disdain.

This does not mean that there are no abuses of the environment in the Igbo world. Abuses are, as a matter of fact, fairly wide-spread among peoples of the world. But basically the Igbo attitude to the environment is one that lays emphasis on harmony and not on dominion. My problem with the system, as I will show later, is that the harmony sought and maintained does not refer directly so much to the entities themselves as to what they represent. However, what most Westerners see as unthinkable, as Stone pointed out, that is, giving some sort of right to the environment¹⁸ was not unthinkable to the Igbo. Here, of course, the right is religious and its legality is seen only through the religious framework since the Traditional Igbo society was theocratic. The Igbo sees himself as an intrinsic part of God’s nature and therefore endeavours to treat every entity in the way she believes will be pleasing to God. As Tembo observes, the African “...does not begin by distinguishing himself from the object, the tree or stone, the man, or animal. He does not keep it at a distance. He does not analyze it. Once he has come under its influence, he takes it like a blind man still living, into his hands. He does not fix it or kill it.”¹⁹ The Igbo believes in perpetual re-incarnation. So, life after death is the same as life before death all played out here on earth and nowhere else. And it is hoped that the more one re-incarnates, the more she improves in her character and personality. The inability to “come back” to the earth is what the Igbo dreads most. One sees a similar thought in Nietzsche, where Zarathustra was preaching fidelity to the earth. “I beseech you, my brothers, *remain faithful to the earth*, and do not believe those who speak to you of otherworldly hopes! Once the sin against God was the greatest sin, but God died, and these sinners died with him. To sin against the earth is now the most dreadful thing, and to esteem the entrails of the unknowable higher than the meaning of the earth.”²⁰ The traditional Igbo would certainly not subscribe to the view that God is dead. But at the same time, God is seen

¹⁸ For Stone what is unthinkable is when groups that were heretofore excluded, like women, Blacks, fetuses, Indians and those that belong to other family or kindred groups become included in the scheme of things. He observed that it is now happening and therefore proposes that we should add to the list the objects in the environment: “I am quite seriously proposing that we give legal rights to forests, oceans, rivers and other so called ‘natural objects’ in the environment as a whole” Stone, Christopher. *Should Trees have Standing?*, p.6. Stone’s advocacy of legal rights for the environment is based on a truncated morality as shall be shown in chapter four.

¹⁹ Mwinzenge, Tembo S. “The concept of African Personality: Sociological Implications”, in *African Culture (the rhythms of Unity)*. P.199.

²⁰ Nietzsche, Friedrich. *Thus Spoke Zarathustra* “Zarathustra’s Prologue”, § 3.

as living in heaven but also inhabiting the objects in the environment, like hills, forests, rivers, animals, etc. And these are the objects he (the Igbo) deals directly with. It is therefore necessary for him to live in harmony with these objects since they make up his *only home*.

As an Igbo I find it quite difficult, reading from some authors—whose sources I sincerely question—that Africans have no respect for the environment. J. Baird Callicot, for example, in his *Earth's Insights A Survey of Ecological Ethics from the Mediterrean Basin to the Australian Outback*, notes that African ecosophy has been neglected in the field of environmental ethics.²¹ The reason, according to Callicot, is to be found in the fact that Africans did not incorporate reverence and respect for the environment into their philosophy (culture) and religion. What have been said about the Igbo attitude to the environment directly contradicts what Callicot has to say about the Africans' environmental consciousness. Despite all, Callicot is quite conscious of the African origin of *Homo sapiens*:

Of course, all of us Homo Sapiens are Africans. Our Species is one among the indigenous charismatic mega fauna incubated in Africa. We evolved shoulder to shoulder with our phylogenetic first cousins, the gorillas and chimpanzees. After our African genesis, we gradually dispersed throughout the world. Perhaps for those of us in the Diaspora the reverence for the wildlife of Africa is like reverence for the things of home. It would be surprising to learn that our fellow Africans whose forebears remained at home during the past hundred thousand years did not share those feelings and incorporate them in their philosophies and religion.²²

African religions and philosophy, as far as Callicot was concerned, are both monotheistic and anthropocentric. The conclusion for him is obvious: What the African sees in the environment is nothing but mere human interest, and not even “enlightened rational self interest.”²³ For the African, God has handed the world over to him for his own good. The result is therefore a lacuna of environmentalism in Africa. This is why Callicot asserts that “Apparently, therefore, Africa looms as a big blank spot on the world map of indigenous environmental ethics for a very good reason. African thought orbits, seemingly, around, human interests.”²⁴

²¹ Note that Callicot is here speaking of Africa in a homogenous sense. See Callicott, J. Baird. *Earth's Insights A Survey of Ecological Ethics from the Mediterrean Basin to the Australian Outback*, p. 156. Henceforth, *Earth's Insights*.

²² *Ibid*, p. 156-157.

²³ *Ibid*, p. 158.

²⁴ *Ibid*, p. 158.

Again, the account of Igbo (African) environmental consciousness I have given above starkly contradicts Callicott's assertions. As for the anthropocentric charge, we shall deal with that in subsequent chapters. Suffice it here to say that what is important is not that human beings use other entities in the environment but rather *how and why* those entities are *used*. On the other side of the coin is *how and why* human beings are used by those other entities. Also, if by anthropocentrism he means that the African understands the environment as his servant, then that charge is more pervasive in the Judeo-Christian-Islamic dogma informed by Western dualism, as we shall see shortly.

That African cultures are imbued with belief in God is an indisputable fact. But this God is indeed a remote God and human beings interact with him only through deities like *Ani*. An important dimension of this arrangement worth stressing here is that these deities have rules in the form of taboos. These taboos help to inculcate respect and reverence for the environment and indeed impose legalistic obligations.²⁵ In chapter four we shall look at the roles taboos have to play in the rights of the environment.

I.3. HINDU AND BUDDHIST ATTITUDES TO THE ENVIRONMENT

In some Eastern religions—Hinduism and Buddhism—one also finds a similar attitude to nature. These religions see nature, including human beings, as one entity which should be treated with respect and reverence. According to Dwivedi, "...in the ancient past, Hindus and Buddhists were careful to observe moral teachings regarding the treatment of nature."²⁶ Water, land, air, trees, and animals are revered and severe punishments are stipulated for those violating, as it were, the rights of these entities. As in traditional Igbo culture and religion, these rights are mostly religious. Polluting the pathways (land) is an offence. So is polluting water. "God, Kesava, is pleased with a person who does not harm or destroy other non-speaking creatures or animals. To not eat meat in Hinduism is considered both an appropriate conduct and a duty...The wicked person who kills animals which are protected has to live in hell-fire for the days equal to the number of hairs on the body of that

²⁵ One finds a similar thought in Leopold's "Land Ethic", as we shall see later.

²⁶ Dwivedi, O.P. "*Satyagraha* for Conservation: Awakening the Spirit of Hinduism", in *Environmental Ethics*, edited by Pojman Louis, p. 250.

animal.”²⁷ This is because in the Hindu tradition there is an unshakable belief in re-incarnation, where a person may come back as an animal or a bird, and this gives these entities not only respect, but also reverence. Also, according to Dwivedi, “This provides a solid foundation for the doctrine of *ahimsa*—*non-violence* against animals and human beings alike.”²⁸ Trees were also considered as capable of feeling happiness and sorrow.²⁹ Dwivedi tells the story of how the Bishnois community in India, inspired by Guru Maharj Jambaji (1450CE), who was against killing animals or cutting down trees, lost three hundred and sixty-three people in their bid to protect the environment. This happened when a king from another part of India sent soldiers to cut down the trees that were in abundance in the Bishnois community in order to build his palace, the villagers came out and hugged the trees in order to prevent the soldiers from cutting them down. After the soldiers killed 363 of them, the king ordered his soldiers to stop.³⁰ The Bishnois continue to the present day in their defence of the environment and have inspired similar other endeavours like the Chipko Movement which emphasizes the proper management and use of trees in order to achieve sustainable development.³¹ According to George James, the Chipko movement was born in 1973 when a group who sought permission from the forestry department to cut trees to make agricultural equipment was refused while another group that wanted the trees for making sporting equipment was granted permission. The group at the receiving end of the injustice organized themselves to hug the trees, following the example of the earlier Bishnois community. The Bishnois activism took place in 1731.³² Vandana Shiva points out that the Chipko movement is a relatively new phenomenon and was always led by anonymous women. According to her, it is a “...movement whose activities in its two decades of evolution have been extended from embracing trees to embracing living mountains and living waters. Each new phase of Chipko is created by invisible women.”³³

The Buddhist attitude towards the environment is also one marked by a sense of reverence. The Buddhist strives to live harmoniously with nature. As De Silva pointed out,

²⁷ *Ibid*, p. 252.

²⁸ *Ibid*, p. 252.

²⁹ *Ibid*, p. 253.

³⁰ *Ibid*, p. 254.

³¹ *Ibid*, p. 255.

³² George, J. James. “Ethical and religious dimension of the Chipko Movement”, in *Hinduism and Ecology*, p509.

³³ Shiva, Vandana, “The Chipko women’s concept of freedom” in Maria Mies & Vandana Shiva, *Ecofeminism*, pp. 146-150.

Buddhism advocates a gentle non-aggressive attitude towards nature. “According to the *Sigalovada Sutta* a householder should accumulate wealth as a bee collects pollen from a flower. The bee harms neither the fragrance nor the beauty of the flower, but gathers pollen to turn it into sweet honey. Similarly, man (sic) is expected to make legitimate use of nature”³⁴ The Buddha forbade the maltreatment of animals, even the least of them. Man should avoid injuring—intentionally or unintentionally—all other creatures. “... [T]he Buddha promulgated the rule against going on a journey during the rainy season because of possible injury to worms and insects that come to the surface in wet weather. The same concern for non-violence prevents a monk from digging the ground.”³⁵

As in the African setting, I do not want to create the impression that there are no abuses of the environment in these cultures and religions. Indeed there is some ambiguity concerning the Buddha’s attitude to the killing of animals. For instance, the Buddha expressly forbade monks from causing injury to animals and plants. But because of the need for food production, lay Buddhists are allowed to plough the field for cultivation, an activity that inevitably leads to injury and death of worms and other small creatures. This leaves the concept of *ahimsa* or non-injury, open to differing interpretations. More so, as the Buddha lays emphasis only on the intentions of the one who does the inevitable injury? Monks are also permitted to receive gifts of meat from the lay people whose intentions about the killing of the animals they ignore.³⁶

Similarly, in Hinduism, there is an ambiguity concerning purification or freeing oneself from the cycle of death and rebirth as it lays much emphasis on renunciation. Some scholars see this as implying a neglect and devaluation of the natural universe. According to Nelson, “In Advaita metaphysics, the world of nature—the suspect world of change and multiplicity—undergoes a wholesale objectification and radical ontological devaluation. This process includes, of course, the human body and mind. Advaita, betraying its legacy from the archaic Samkhya dualism, bases itself on a noetic discrimination...between Self and non-Self...a sorting-out process that is at least provisionally dualistic.”³⁷ This duality is brought out further in the analogy of the defective eye and bile. “... persons with double vision may

³⁴ De Silva, Lily. “The Buddhist Attitude Towards Nature”, in *Ibid*, p.258.

³⁵ *Ibid*, p. 258.

³⁶ *Contemporary Buddhist Ethics*, edited by Keown, Damien. p. 115-117.

³⁷ Nelson, Lance E. “The dualism of nondualism: Advaita Vedanta and the irrelevance of Nature”, in *Purifying the Earthly Body of God, religion and ecology in Hindu India*, p.68.

continue to see two moons where, in fact, there is only one...The second moon does not disappear, despite knowledge of the true situation...even though knowing for certain that sugar is sweet, persons afflicted by a disorder of the bile continue to experience a bitter taste...”³⁸ The liberated person—or saint—should equally know that the natural world is, like the content of dreams, false. “The theme of perceiving the world as unreal is common in later texts. The *Pancadasi* teaches that knowledge makes one conscious of the unreal nature... of the universe. The liberated ascetic is conscious of the world’s falsity...”³⁹

George James argues, however, that if that is the case, Hinduism could not give rise to a movement such as the Chipko. He concludes: “My conclusion is that Chipko is unquestionably a movement for the negation of the world. The world it negates, however, is not the world of nature, which for the Chipko activists is sacred. The world it negates is the world of scientific forestry and of politicians, technicians, and contractors within whose knowledge nature is reduced to a commodity in a system of economic exchange...”⁴⁰

The point, of course, is that, admirable as it is, respect and reverence for nature in Hinduism is not a secular affair and cannot be binding on non-Hindus. It is also grounded on an ambiguous metaphysical valuing of nature. George James’ objection does not solve this problem. This is because the negation of nature in Hinduism did not start with their encounter with the world of the scientific forestry, politicians and technicians and contractors. These, one could argue, are later developments. Hindu reaction to such developments, as exemplified in the Chipko movement, stems from their understanding of nature. This understanding is essentially dualistic. One could therefore say that this dualism is a major weakness of the Hindu system. So, in as much as Hinduism approaches the environment with this dualistic view of nature, even if the dualism is only provisional, one can say that nature is thus devalued. Nonetheless, one can still argue that the effect of this dualism is not completely negative as far as the environment is concerned. This surely will need more research and studies to establish. Unfortunately I cannot undertake such an enterprise in a work such as this.

³⁸ *Ibid*, p. 74.

³⁹ *Ibid*, p. 75.

⁴⁰ George J. James, *op cit*, p. 526.

I.4. THE WESTERN (CHRISTIAN) ATTITUDE TO THE ENVIRONMENT

In the Judeo-Christian religions, the dualism that is inherent in the other religions already discussed is made more explicit by the Christian dogmatic attitude toward the environment. That attitude is characterized by arrogance, anthropocentrism, and a domineering posture toward nature. In the first book of the Bible (Genesis), it is stated that God created the heaven and the earth and all that is in it. Then he created the first man, Adam, and then the first woman, Eve, as his companion.⁴¹ And he gave them authority to dominate, conquer, and overcome the earth and all that is in it. As Genesis 1:28 states, “God blessed Adam and Eve, saying to them, ‘Be fruitful and multiply, fill the earth and conquer it. Be masters of the fish of the sea, the birds of the heaven and all living animals on earth.’”

It was Lynn White who, in an article in the journal *Science* of March 1967, titled “The Historical Roots of Our Ecological Crisis”, first drew attention to this Judeo-Christian attitude to nature as the root cause of the contemporary environmental crisis. Many Christian apologists have reacted negatively to White’s claims. But the point, according to him, is that as Christianity became the dominant religion of the West, modern science which was also born in the West, took as its inspiration the Christian dogma of man’s dominion over the rest of nature.

White pointed out that in European antiquity, before Christianity became the dominant religion, there was a reverence for the environment. “...every tree, every spring, every stream, every hill had its own *genius loci*, its guardian spirit. These spirits were accessible to men, but were unlike men; centaurs, fauns, and mermaids show their ambivalence. Before one cut a tree, mined a mountain, or dammed a brook, it was important to placate the spirit in charge of the particular situation, and to keep it placated. By destroying the spirits in natural objects, Christianity made it possible to exploit nature in a mood of indifference to the feelings of natural objects.”⁴²

Judeo-Christian apologists, it must be pointed out here, have consistently, at least since the publication of White’s paper, pointed out that their religion lays emphasis more on stewardship than on domination. Callicot remarks that Genesis contains not one but two

⁴¹ Lynn White points out that Eve was created by God as an afterthought! She was given to man to be his companion so that he would not be alone.

⁴² White, Lynn. “The Historical Roots of our Ecological Crisis”, in *Environmental Ethics*, edited by Pojman Louis, p. 17.

separate accounts of creation. He argues that being made in the image of God confers, not just privileges, but equally responsibilities on human beings. “Being created in the image of God confers, it might be argued, not only special rights and privileges on human beings but also special duties and responsibilities. Paramount among these responsibilities, it might be supposed, is man’s duty wisely and benignly to rule his dominion, the earth. To abuse, degrade, or destroy the earth is to violate the trust that the regent (God) placed in His viceroy (man).”⁴³ Callicott notes that biblical scholars distinguish two creation myths in the book of Genesis. These are labeled as P and J, where P stands for the priestly narrative and J for the Yhawist narrative. J is said to be at least half a millennium older than P and begins in Genesis 2:4 with the creation of man, plants and animals, etc, and finally woman. P, which is the more popular account, begins with the creation of light, separation of water and land, other creatures, and finally with what Callicott describes as the amorphous “man” on the sixth and last day.

In J, man is made from the earth as were the other animals. It is in this narrative that the significance of the first man’s name—Adam, from *adama* or the earth—is brought to bear on his essential identity with the earth. As Callicott comments, “The first man’s very name thus associates him with the most material element—with the soil, with nature, and not, as the later *imago dei* suggests, with the heavens, the ethereal, and the divine.”⁴⁴ The implications of the J narrative are firstly, that the biblical account of creation cannot be said to be only anthropocentric as in P but equally ecocentric. Secondly, it could be safely assumed that God wanted the human being to live in harmony with the rest of nature as one among its creatures. And this was why God later bitterly regretted making man after the Fall.⁴⁵ Thirdly, since J predates P—on which the stewardship and anthropocentric interpretations are based, one can also safely assume that that was what God intended from the beginning. Man finally deviated from this divine project. Or, taking both accounts as pure myths as told by humans, one can assume that P represents a shift in the environmental consciousness of the narrators. This is because God, being omniscient and omnipotent as alleged, could have foreseen that one of his creatures—a human—was going to upset the balance of harmony that he has

⁴³ Callicott, Baird J. *Earth’s Insights*, p. 16.

⁴⁴ *Ibid*, p.17.

⁴⁵ “And it repented the Lord that he had made man on earth, and it grieved Him at His heart...”
Genesis 2:6.

created. So, if things were really under his control, he could have made everything from the beginning in such a way that all the creatures will live in harmony, giving them only such powers as to enable them achieve that harmony.

In any case, J is quite environmentally friendly. However, I can think of only one known authority in the Judeo-Christian tradition that took it to heart. That person was St. Francis of Assisi who took all natural entities to be equal as creatures of the same God. But what Francis did was so unorthodox that White thought that the real miracle of Francis was that he did not end up on the stakes as many of his followers did.⁴⁶ Despite Francis' efforts, it is the P narrative that has taken root in the Judeo-Christian dogma. Unfortunately, what the stewardship interpretation, which is based on P does, is not just show that we are different from other entities in nature, like the animals from plants—a difference of degree— but that we are *essentially* different from nature. It also makes us believe, falsely, that we can really determine the course of the environment. We certainly do affect the environment, but the ultimate course and fate of the environment do not depend on us.

It is, I suppose, with Francis in mind that White was therefore very careful to distinguish Christianity⁴⁷ from Christian doctrine and dogma. Nash has also remarked that “As a scholar concerned with the history of ideas, White knew the relevant question was not, what does Christianity mean? but what did it mean to a particular society at a given time and place? His approach, in other words, was pragmatic: How was the Judeo-Christian tradition used?”⁴⁸ As White points out, there is no doubt that modern science and technology draw their inspiration from the Christian dogma of human's dominance over nature. But he contrasts the attitudes of Eastern and Western Christians towards nature. According to him, the Eastern attitude was marked by intellectualism or clear thinking—orthodoxy—while the Western attitude was more voluntarist. For the East, sin was intellectual blindness while for the West, sin was moral evil. Conversely, “the Greek saint contemplates while the Western saint acts. The implications of Christianity for the conquest of nature would emerge more easily in the Western atmosphere.”⁴⁹ The Eastern Christians saw the objects in nature, like ants and fire, as symbols of God's communication to man. As Hu Shih has pointed out, “The

⁴⁶ White, Lynn. *op cit*, p. 18.

⁴⁷ This distinction is similar to that of Kierkegaard who distinguished Christianity from Christendom.

⁴⁸ Nash, Roderick Frazier. *The Rights of Nature*, p. 89.

⁴⁹ White, Lynn. *op.cit.*, p.17.

most outstanding characteristic of Eastern civilization is to know contentment, whereas that of the West is not to know contentment. Contented Easterners are satisfied with their simple life and therefore do not seek to increase their material enjoyment...They ...do not want to conquer nature but merely to be at home with nature and at peace with their lot.”⁵⁰ Shih is here talking of the Chinese tradition. But what he says generally holds true also of what has been said here about the East in general. The Eastern attitude to nature could be better understood by this saying: “Sitting quietly doing no-thing, spring comes and the grass grows.”⁵¹ In other words, the Easterner “acts through non-acting”. On the contrary, in the West, scientists (Christians and non-believers) use the objects in nature to understand the mind of God and how creation operates.⁵² They scrutinize nature, hoping to lay bare its secrets. In contemporary physics, such an attitude leads to the endeavour to discover a complete or unified theory so that we can explain away, as opposed to describing, nature as a whole. According to Stephen Hawking, “...if we discover a complete theory, it should in time be understandable in broad principle by everyone, not just a few scientists. Then we shall all, philosophers, scientists, and just ordinary people, be able to take part in the discussion of the question of why it is that we and the universe exist. If we find the answer to that, it would be the ultimate triumph of human reason—for then we would know the mind of God.”⁵³

White contrasts the above attitude with that of St. Francis, a thoroughgoing Christian. Francis, writes White, “tried to depose man from his monarchy over creation and set up a democracy of all God’s creatures. With him the ant is no longer simply a homily for the lazy, flames a sign of the thrust of the soul toward union with God; now they are Brother ant and Sister fire, praising the Creator in their own ways as Brother Man does in his.”⁵⁴ This, of course, means seeing a sort of divine presence in all the objects of nature. It’s not new with Francis. The great religions we have spoken of above all have similar attitudes towards nature.

We can now see why these practices constitute an obstacle to the respect for the entities in the environment if we keep in mind that religious precepts are binding only on those

⁵⁰ Hu, Shih. *Sources of Chinese Tradition*, in Bartlett, p. 1019.

⁵¹ De Mello, Anthony. *One Minute Wisdom*, p. 94.

⁵² White, Lynn. *op.cit.*, p. 17.

⁵³ Hawking, Stephen. *A Brief History of Time*, p. 175.

⁵⁴ White, Lynn. *op.cit.*, p.18.

who subscribe to the religion in question. In other words, these cultures placed the imperative of the respect for nature somehow above the environment itself and posited it in a supernatural being or, as is the case in Hinduism, in the law of karma which ensures the re-incarnation of human beings and moral requital. In the final analysis, the biological and ecological inter-relationship between the human being and these other entities are drowned out by an approach that bestows some rather mystical qualities, as prescribed by each religious culture, on these entities. The respect for the environment, so fostered, remains without an earthly foundation. And consequently, such respect cannot be authentic firstly because it is not based on reality as we see it and secondly because it is based on faith which holds only for those who subscribe to the faith in question. This is why taboos can no longer be used to enforce respect for the environment. If the authors of the taboos had taken time to explain the interconnectedness between the human beings who were being asked to observe them and the rest of the environment, the observers of the taboos might have seen its logical and practical necessity, even if they do not agree wholly with them. Again, since the imperative for the respect of the environment was more religious than legal and since religious faith is basically a private affair, its enforcement was intractable. For instance, when the Christian missionaries first came to Igbo land, they were given forests that have been reserved exclusively for the gods and into which no one entered for fear of the gods. The missionaries, having no notion of those gods or their wrath, promptly constructed their churches in those hitherto dreaded places. The natives were certain that the missionaries would not last more than a couple of months as the gods would surely visit their wrath on them. The missionaries stayed and grew stronger. This led many Igbos to begin to question their faith in the gods of their ancestors. The result is that today there are many Igbo Christians who have totally abandoned the religions of their forebears and with that abandonment came less and less respect for the environment to the point that it is now reaching ecological crisis. So, whereby in a religious injunction, the gods are awaited to punish the offenders, in legal injunctions the offenders are punished by other human beings. This is more expedient. What is more, it shows that the respect for the environment is not a “heavenly” but a worldly affair through and through.

Christianity certainly influenced the promulgation of Roman Law which the West pervasively adopted into their legal codes. But these laws have weaknesses that could be traced to their religious root: God above man, man above woman and all above nature. Today,

even though these laws have become secular, they still bear the marks of their religious foundation. The Islamic legal code, or the *sharia*, is following hard on the same route traveled by the Christian legal code or canon law. In the *sharia*, for instance, a man is entitled to as many as four wives. Women are to marry as early as possible and are explicitly forbidden from engaging in certain professions and in some cases, from working outside their homes.

My argument, therefore, as I will pursue further in chapter four, is that respect for the environment should be based on legal injunctions which in turn should be based on the ontological independence and the intrinsic aesthetic value of the environment. The cultures and religions discussed here do not see the environment as being ontologically independent as regards its origin. They do not see it, also, as aesthetically independent. The picture of the environment that comes across from their theories is that the entities in her bosom are seen basically as mere appearances of the real which is other-worldly. On this point then, the ethics or laws based on such theories are deficient. The following chapter will therefore address the ontological independence of the environment to show that respect for the environment should not be based on any supposed being that is outside the sensible sphere.

CHAPTER TWO

THE ONTOLOGICAL INDEPENDENCE OF THE ENVIRONMENT

“We are the land and the
land is us”⁵⁵
—Fabienne Boyet

“...to the Ogoni, the land and the
people are one and are expressed as
such in our local languages.”⁵⁶
—Ken Saro-Wiwa

The first chapter looked at the problem of how some cultures and religions see the environment. That problem is basically that of how the environment is conceived by these cultures and religions and how those concepts have influenced their ethics of the environment. They see the environment only as what human beings say it is. It is a problem of idealism that gives the prerogative of deciding what the environment is and why it exists to human concepts. The problem stems from a failure to see the environment as an independent being in its own right. In this chapter, I want to show how the environment is not ontologically dependent on the human being. I begin with a (working) definition of the environment.

I. WHAT IS THE ENVIRONMENT?

By environment I mean anything in nature that is not created. And by creation I mean willfully bringing something into existence. Not being created does not mean that the environment is *causa sui*. Rather, it means that its origin is to be found in accidental natural processes that are purposeless. The environment in this sense differs from the ecosystem in as much as the latter includes artifacts made for different purposes by animals, including humans.

II. BEING NATURAL, ARTIFICIAL, OR ACCIDENTAL

The word “willfully” as being used here cannot be over-emphasized. I want to examine it by discussing what is natural, artificial, and accidental. Something which is

⁵⁵ Boyet, Fabienne, “Overturning the Doctrine: Indigenous People and Wilderness—Being Aboriginal in the Environmental Movement”, in *The Great New Wilderness Debate*, p. 314.

⁵⁶ Saro-Wiwa, Ken, *A Month and a Day, A Detention Diary*, p. 2.

willfully brought into existence is fundamentally different from another which is natural. Something is natural when it is not purposely brought into being by something outside of itself. A river is natural while something like an anthill is not. The anthill is constructed by ants, as birds construct nests, and human beings construct houses, to serve whatever purpose they want those artifacts to serve. The materials used in such constructions or organizations may be natural—like water, grass, sand, leaves, stones, clay, etc. But the finished products are artifacts. Eric Katz argues that even when the objects so constructed remain in a quasi-natural state, they are still artificial or artifacts. In an essay titled “The Big Lie”, he declares that “The natural environment cannot be redesigned or restored and remain natural.”⁵⁷ This declaration was made in the context of his criticism of the proponents of the “restoration thesis”. This is where a natural entity like river, landscape, hill, mountain, etc, that had been damaged could be restored to its “original” state.⁵⁸ According to Katz, this is simply artificial. “Depending on the adequacy of our technology, these restored and redesigned natural areas will appear more or less natural, but they will never be natural—they will be anthropocentrically designed human artifacts.”⁵⁹ The point Katz is making is that there is a clear ontological difference between what is natural and what is made to look natural. In the same vein, Allen Carlson calls nature “not our own creation.”⁶⁰

It follows then that the environment, at least as I am using it here, is what is natural and uncreated. It is what *is* and not what is *made to be*. Artifacts like anthills, birds’ nests, etc, are created. They may not be created by reflective beings—if we grant that only human beings are capable of reflection—but they are made for a purpose, just as humans construct houses. Where it may be possible for us, as humans, to create nests or anthills, we cannot create the bird or the ant. We can only aid in their reproduction, using what is already there, that is, genes that have evolved naturally.

⁵⁷ Katz, Eric. *op.cit.*, p. 97.

⁵⁸ Katz, Eric. *op.cit.*, p. 97.

⁵⁹ 59 Katz, Eric. *op.cit.*, p. 97.

⁶⁰ Allen, Carlson. “Appreciating Nature” in *Arguing about art*, p. 163.

II.1. ACCIDENTAL CREATIONS AND REPRODUCTION

One also needs to distinguish what comes into being from an accidental combination of other natural objects and one that is willfully brought into being. What underscores this difference is purpose and purposelessness. Natural objects exist for no particular purpose whatsoever. For instance, the existence of hydrogen and oxygen in the environment is simply purposeless. So is the accidental combination of the two that results in water. The product of this combination—water—is as natural as its components. Now the same thing cannot be said of the manipulation or production of these entities in the laboratory for scientific, technological, medical and other purposes. For the finished product to be natural, the combination has to be purely accidental. In the same vein, the stone which exists not because it is willfully made by anything and therefore is purposeless is natural while the anthill is not. When the stone is carved into something like a statue, it becomes artificial as Katz pointed out. In that case it can only be said to be quasi natural.

Reproduction also falls into this category. When two animals mate or when a plant through different natural mechanisms reproduces, the product is natural. This contrasts with the artificial reproductions of animals and plants by humans. The products of such artificial reproductions are engineered towards some purpose in the mind of the engineer. Without this purpose the object will be not be created in the first place. If one accepts that everything that is natural is ipso facto purposeless, then it becomes less difficult to determine what is natural and what is artificial. Katz puts purpose and function together in differentiating between what is natural and what is artificial. To say that something has a purpose would mean, for him, to say that it has intrinsic function for which it was designed. The understanding is therefore that natural entities do not have any set or intrinsic purpose. So he says that “Natural objects lack the kind of purpose and function found in artifacts...natural entities have no intrinsic function...they were not created for a particular purpose; they have no set manner of use. Although we often speak as if natural individuals (for example, predators) have roles to play in ecosystemic well-being (the maintenance of optimum population levels), this kind of talk is either metaphorical or fallacious. No one created or designed the mountain lion as regulator of the deer population.”⁶¹

⁶¹ Katz, Eric. *op.cit.*, p. 98.

The evidence we have from evolution shows that the environment evolved in a purposeless manner. It is therefore without purpose and purely accidental. The dissection or analysis of any object in nature shows that it is an accidental combination of other objects in nature. Water, for instance, is an accidental combination of hydrogen and oxygen. The hydrogen and oxygen atoms have the kind of properties that make it possible for them to combine and form water. But this combination is still accidental in that those atoms were not purposely produced by anyone to eventually combine to become water. The evolution of life itself also resulted from a series of accidental combinations. This suggests that life has no inherent purpose. As Nietzsche pointed out, against Hegel who said that there is a final aim to world history, “That my life has no aim is evident even from the accidental nature of its origin; that *I can posit an aim for myself* is another matter.”⁶²

Spinoza makes a similar point in his discussion of perfection and imperfection. According to him, when one sets out to construct something and finishes it, she calls it perfect. Others who *know* what she set out to do will also call it perfect. From this knowledge, according to Spinoza, we form general notions of perfection and imperfection. We do this, despite the fact that we may not know precisely what is in the mind of the one who sets out to construct the artifact. Thanks to these general notions we can say whether what she has constructed is perfect or not. This, according to him, is why we can talk of a perfect or an imperfect house, for example.⁶³ Now when we transpose this knowledge of artifacts to nature, a difficulty arises. This is because our notions of what is perfect or imperfect as they concern artifacts cannot be applied to natural entities. The reason for this is that nature has no purpose or end as such, the way a house does. Because of this, we cannot say nature is perfect or imperfect for we *cannot know* it the way we can know whether a house is perfect or not. Spinoza therefore makes the case for the purposelessness of nature: “We thus see that men (sic) have been wont to call things of nature perfect or imperfect from prejudice rather than from a true knowledge...nature does not act with an end in view: for that eternal and infinite being we call God or nature acts by the same necessity as that by which it exists...Therefore the reason or cause why God or nature acts or why they exist, is one and the same; therefore,

⁶² Nietzsche, Friedrich. *Notes 1873*, in *The Portable Nietzsche*, by Walter Kaufmann, p. 39-40.

⁶³ Spinoza, Baruch. *Ethics*, fourth part, preface. Emphasis mine.

as God exists with no end in view, he cannot act with any end in view, but has no beginning or end either in existing or acting”⁶⁴

The beginning of the universe itself is also accidental. Our universe was said to have been contained in a “cosmic atom” of infinite density which then exploded billions of years ago in what is believed to be the beginning of time. According to Verril, “...all the matter of the known universe was bunched in space—a literal chaos, or giant “cosmic atom”, in the beginning—and exploded about three billion years ago to start the cycle of cosmic events in which we find ourselves. Large blobs from this explosion, like the sun, have been able to maintain themselves as durable atomic furnaces. Smaller knots, like the Earth and other planets, cooled quickly to liquid spheres.”⁶⁵ Many accounts of the beginning of the universe reflect this theory. They are attempts by human beings to describe the origin of things they see around them. Some of these theories are today supported by scientific findings. The evidence of the big bang is to be found in the fact that the universe is constantly expanding, “...as though all is space and matter has been flung apart by some explosion. The echoes of the energy from the Big Bang still exist in space.”⁶⁶ Despite this type of evidence, the question of whether the universe has a beginning or not is not yet a settled matter. Indeed, Immanuel Kant calls such problems antinomies—or contradictions—of pure reason. This is because Kant thought that there are equally sound and compelling arguments for believing both the thesis and the anti-thesis.⁶⁷

When we come to the beginning of life, however, its origin is less contested in the scientific world. And just like the beginning of the universe and our planets, the beginning of life is purely accidental as its evolutionary account makes clear. What the earth possessed billions of years ago were molecules or compounds such as water vapour, carbon dioxide, methane, and ammonia. These compounds, under the influence of ultra violet radiation,

⁶⁴ *Ibid.*

⁶⁵ Verril, Hyatt. *The strange story of our Earth*, p. 8.

⁶⁶ *What makes the world go round?* A question-and-answer encyclopedia, Jinny Johnson, Gen. Editor, p. 100.

⁶⁷ For the thesis, Kant says this: “For if we assumed the world has no beginning in time, then an eternity must have elapsed up to every given point of time and therefore an infinite series of successive states of things must have passed in the world”. And for the anti-thesis, Kant says this: “For let us assume that it has a beginning. Then, as beginning is an existence which is preceded by a time in which the thing is not, it would follow that antecedently there was a time in which the world was not, that is, an empty time. In an empty time, however, it is impossible that anything should take its beginning...” Kant, Immanuel. *Critic of Pure Reason in Basic Writings of Kant*, Edited and with an introduction by Allen W. Wood, p. 88-89

formed more complex molecules, notably amino acids—the building blocks of proteins. This process continued and led, accidentally, to the appearance of simple life forms on earth that used anaerobic process to get their energy. This is a process that does not require oxygen. This was because at the time there was virtually no oxygen on our planet.

Then, about three billion years ago, photosynthetic entities began to evolve. Photosynthesis is a complex process whereby organisms that have chloroplasts and chlorophyll produce carbohydrates using water and carbon dioxide and then releasing free oxygen in the process. The oxygen released by photosynthesis—as a by product—is highly toxic to anaerobic organisms. This eventually led to the evolution of aerobic organisms which use oxygen for respiration.

The accumulation of oxygen in the atmosphere also led to the formation of the ozone layer. It is the formation of the ozone layer, which “...protected the surface of the planet from the high energy ultra-violet light from the sun, which allowed more complex and delicate life-forms (like us) to evolve.”⁶⁸ We therefore owe our existence to this layer, as Grum et al point out; “Virtually all the earth’s organisms owe their lives to the filtering effects of the ozone layer 20 to 50 kilometers (12 to 30 miles) above. About 99 percent of the sun’s lethal ultraviolet rays are absorbed by this invisible layer; as a result, organisms are spared over exposure to these killer rays that destroy many biological molecules, including DNA.”⁶⁹

What I have been trying to point out from the above discussion is that, as far as the universe goes, it is not created in the sense of having an organism or a supernatural being designing and determining what it should be and then fashioning it out accordingly. This helps to show that the universe and all that is in it, naturally that is, is purposeless. “Let us”, says Nietzsche, “beware of believing the universe is a machine; it is certainly not constructed so as to perform some operation...Let us beware of saying there are laws in nature. There are only necessities: there is no one to command, no one to obey, no one to transgress.”⁷⁰ What is artificial, like the anthill, is made for a purpose by an organism, while what is natural is its exact opposite.

Is everything that is produced accidentally therefore natural? One can say that there can be accidental creations of unnatural things. Such accidental productions usually occur

⁶⁸ Brum, Gil et al. *Biology fundamentals*, p. 87.

⁶⁹ *Ibid.*, p. 519.

⁷⁰ Nietzsche, Friedrich. *Human All Too Human*, §173.

while one is engaged in producing something else and the accidental production becomes an accidental by-product of such endeavour. The accidental production that takes place in nature is different from artificial production, even if such production is accidental. The difference between what is naturally accidental and what is artificially accidental is that the former needs no agent to consciously trigger it off while the latter does. Purely accidental, and therefore natural, productions do not need any conscious agents to initiate them. This is why they are described as natural. And whatever results from such productions, be it major or by-products, like in photosynthesis, are natural products. Major and by-products are simply our ways of describing what has taken place.

II.2. CREATION *EX NIHILLO*

Here I want to briefly discuss the theory of creation *ex nihilo* to try to clarify the point I am making about the purposelessness of the environment.

Most religions have an account of the creation of the world. Usually, it is a supreme and omnipotent being who brings things into existence through omnipotence. This is known as creation *ex nihilo*. In the Judeo-Christian-Islamic tradition, the account of creation is quite detailed; so much so that the first human being created is said to be named and known together with the time of his creation and the number of days it took the creator to do the work of creation, etc. This account is quite clear in the book of Genesis. From this account, it is clear that God made *everything* in the world from nothing—*ex nihilo*—and then gave them to humans to direct. This narrative, if believed, pre-empts any inquiry into the origin of the universe. We find a similar account in the Igbo traditional religion. “It says that Chukwu (or Chinieke⁷¹)—The Supreme Deity—created the universe—the sky (eluigwe) and the earth (elu uwa), spirits, man, animals and everything in it...The first man created was called Ifenta (Junior light).”⁷² God is symbolized by the sun. The account postulates that God gave everything to the first man and woman for their own good. So, for the average Igbo, all that is in the world was made by God, who is spirit and head of the unseen world. That explains, in a nutshell, the origin of the world. According to Edeh, “Origins are always traced back to the

⁷¹ Chukwu means the highest God, the Almighty, while Chineke has been taken to mean the one who creates. The latter is a mistranslation because *chi* and *eke* are two different god heads in traditional Igbo.

⁷² Nwala, Uzodimma T. *Igbo Philosophy*, p. 28.

land of the unseen. Hence, visible objects are to be understood as gifts from the head of the inhabitants of the unseen.”⁷³ Nietzsche refers to this as the myth of deed and doer. “...There is no “being” behind the doing, acting, becoming; the “doer” has simply been added to the deed by the imagination—the doing is everything.”⁷⁴ Sartre’s comment on this point is apposite: “...if we once get away from what Nietzsche called ‘the illusion of worlds-behind-the-scene’ and if we no longer believe in the being-behind-the-appearance, then the appearance becomes full positivity...”⁷⁵ For these religions, namely Igbo traditional religion, Judeo-Christianity, and Islam, every deed must have a doer. The big bang is seen in this light as the moment God created the world. According to Stephen Hawking, the Catholic Church has seized the Big Bang theory as being in accord with Scripture. Hawking gives his account thus: “...in 1981, my interest in questions about the origin and fate of the universe was reawakened when I attended a conference on cosmology organized by the Jesuits in the Vatican...At the end of the conference the participants were granted an audience with the pope. He told us it was alright to study the evolution of the universe after the big bang, but we should not inquire into the big bang itself because that was the moment of Creation and therefore the work of God.”⁷⁶ Callicott seems to be thinking in the same way when he said that “...current cosmology posits a beginning of the universe in time. Beyond the Big Bang science cannot see, and scientific Christians are free to believe that God directly created the enormous energy that coalesced into spatio-temporal-material universe that is the object of scientific investigation.”⁷⁷

Hinduism, Buddhism, and most Eastern religions are rather silent about the origin of the world. What one finds in their natural philosophy is a continuity of being which is akin to saying that the universe has existed eternally in a self-generating manner. According to de Silva, “The Buddha was silent on questions like the origin of the world or what happens to the enlightened one after death. He said that those questions had no categorical answer.”⁷⁸ This reminds one of Kant saying that such problems are antinomies of pure reason!

⁷³ Edeh, Emmanuel. *op.cit.*, p. 72

⁷⁴ Nietzsche, Friedrich. *The Genealogy of Morality*, I”, § XIII

⁷⁵ Sartre, Jean-Paul. *Being and Nothingness*, p. 4.

⁷⁶ Hawking, Stephen. *op. cit.*, p.115-116.

⁷⁷ Callicott, J Baird. *Earths Insights*, p. 23

⁷⁸ De Silva, Padmasiri. *Environmental Philosophy and Ethics in Buddhism*, p. 29-30.

In Platonism, one finds a tacit approval that the universe has existed for ever. Apparently, Plato did not believe in the anthropomorphic polytheism of the Athenian religion of his time. The Demiurge or world maker, who dwells in the pure world of Forms, did not make the world out of nothing. Rather, he fashions or creates the world out of a pre-existing chaos of matter into patterns taken from the world of Forms.

If the universe is seen as something that is brought into being *ex-nihilo* by a supreme being, then it would follow that one cannot successfully argue that it has an independent origin. The question then is, does the universe exist because God brought it into being or did God bring it into being because it exists? To put it in another way, was it God who said that he brought the universe into being or human beings who say that? It appears that some human beings first see that they and the universe exist and then postulate that it is God who must have brought it into being. According to Anthony de Mello when we talk of God, we are actually talking of our own concepts and not an independent reality. “It is not true to say that God created the world, or God loves us or God is great...in the interest of accuracy one should say: Our God-concept created the world, Our God-concept loves us, Our God-concept is great.”⁷⁹ John Muir captures this attitude well enough: “They have precise and dogmatic insight into the intentions of the Creator...He is regarded as a civilized, law-abiding gentleman...and is as purely a manufactured article as any puppet of a half penny theatre. With such views of the Creator it is, of course, not surprising that erroneous views should be entertained of the creation. To such properly trimmed people, the sheep, for example, is an easy problem—food and clothing ‘for us’...”⁸⁰

What is said about the theory of creation *ex-nihilo* could well be said about the theory of evolution and the big bang, though to a much lesser degree. It is the human being trying to make sense of (the origin of) things around her. The crucial difference is that in the latter theories, nothing supra-sensible is invoked as the ultimate explanation. And scientific evidence points to the validity of the latter theories. The silence of the Eastern religions on this issue seems quite plausible. That silence is the endorsement of the theory of the everlasting continuity of being. It has crucial implications in the argument for the intrinsic

⁷⁹ De Mello, Anthony. *One Minute Nonsense*, p. 148. Nietzsche asks: “What? Is man merely a mistake of God’s or God a mistake of Man’s? *Twilight of the Idols* “Maxims and Arrows”, §7.

⁸⁰ Muir, John. *A ;Thousand-Mile Walk to the Gulf*, quoted by Callicott, J. Baird. *Beyond the Land Ethic, more essays in environmental philosophy*, p. 196.

value of the environment. In other words, if nature is not consciously brought about by anything outside of itself, but is as a result of accidental natural processes, then it would be plausible to argue for its intrinsic value especially from the point of view of purpose. This would show that the environment is not created for any purpose whatsoever that could be attributed to its creator. The value it has would therefore be inherent in itself and not one that would serve any pre-established purpose.

IV. ONTOLOGICAL INDEPENDENCE

Earlier on, the environment was defined, rather briefly, as anything that is not created. And creation was in turn defined as bringing something willfully into existence. Something which is willfully brought into existence must have a purpose. This does not rule out the fact that it may serve an entirely different end than that to which it was originally destined. But what basically differentiates what is natural from creations or artifacts is that the former is absolutely purposeless. Here I want to argue that what confers on the environment its ontological independence is this purposelessness.

The environment as presented here is what has evolved accidentally and independently of any conscious agent. The ontological status of water, for instance, is different from that of this paper. The ontological status of the bird is equally radically different from that of its nest. So, while the bird and the water are ontologically independent by reason of their provenance, the paper and nest are not. The beings of the nest and the paper depend on those who made them for their own purposes.

To what, then, does the environment owe its being? If we take the Big Bang and evolution seriously, which is the position here, then the answer is that it owes its being to nothing external to itself. Entities in the environment combine in purely accidental manners, to form other entities. The evolution of life, to which we owe our being, is such an accident. First anaerobic entities evolved with the capacity to get their energy or sustenance without oxygen. Then photosynthesis which eventually, through nature's painfully slow process, produced the oxygen that led to the formation of the ozone layer which made it possible for complex life forms, like ours, to evolve. It needs to be pointed out too that in the process, most anaerobic entities were destroyed by the oxygen that is highly toxic. This shows that nature produces and destroys at the same time, following its own rhythm. Heraclitus calls it

exchange. “To say that everything is in flux meant for Heraclitus that the world *is* an ‘ever-living Fire’ whose constant movement is assured by ‘measures of it kindling and measures going out!...all things are an exchange for Fire and Fire for all things, even as ware for gold, gold for wares.’”⁸¹

The theories of the Big Bang and evolution are ways we try to make sense of the origin of the environment. Some people prefer to say that the origin of life, for example, is a mysterious process.⁸² It is called mysterious simply because of our inability to explain it away. Sartre says that being is simply *de trop* because there is no reason why there should not have been no being at all. “Being-in-itself is never either possible or impossible. It *is*...Uncreated, without reason for being, without any connection with another being, being-in-itself is *de trop* for eternity.”⁸³ The fact that the environment has no reason for its existence to me, is an indication of its ontological independence. This contrasts to the way we easily explain the reason for the existence of artifacts. When objects that could be millions of years old are usually excavated by archeologists, their origins are always explained by the purpose they might have served its fabricators. For instance, the recent discovery of burnt bones by scientists in South Africa led them to conclude that our recent ancestors used fire about 1.5 million years ago.⁸⁴

As it is difficult to know what the exact beginning of the environment is, so is it also difficult to know what the end might be or all the processes the environment will go through. The environment is always evolving, so that what it was and what it is are not exactly the same. Heraclitus said in one of his *Fragments* that nature loves to hide! This cannot be said of artifacts which are fixated, bearing the marks their makers want them to bear. But because the environment is in perpetual flux, no one entity or group of entities can determine what the others should be. As I pointed out earlier, some physicists think we should now be talking of multi-verse instead of universe as they are beginning to get evidence that there may be more than one universe. Our planet is today not what it was some thousands of years ago. As Lewontin points out, “Only 60,000 years ago, Canada was completely under ice as was the

⁸¹ Stumpf, Samuel Enoch. *Socrates to Sartre, a history of philosophy*, p. 14.

⁸² Peacock, Kent. *op cit.*, p. 12.

⁸³ Sartre, Jean-Paul. *op. cit.*, p. 29.

⁸⁴ Rincon, Paul. “Bones hint at first use of fire”, in <http://news.bbc.co.uk/go/pr/fr/-/2/hi/science/nature/3557077.stm>.

middle of the United States.”⁸⁵ No other entity in the environment, including human beings, can ultimately stop the environment from evolving the way it evolves. As human beings we sometimes like to think of ourselves as different or above this self-propelled movement of the environment or the ecosystem. But we simply are not. From our evolution and possibly to our extinction, we are an intrinsic part of the purposelessness of the processes of the ecosystem. These processes do not depend on us but rather we, ultimately, depend on them. If there are no plants to produce oxygen all the animals, including human beings will simply suffocate. At the same time, we cannot stop ourselves from affecting the lives of plants, and indirectly, the lives of other animals. As Lewontin puts it, “Every breath you take removes oxygen and adds carbon dioxide to the world. Mort Sahl once said, ‘Remember, no matter how cruel and nasty and evil you may be, every time you take a breath you make a flower happy.’”⁸⁶

Taken as a whole, then, the environment and all that evolve in it depend on nothing outside of itself for its being. We human beings are part of this environment and necessarily take part, as every other entity does, in its evolutionary processes. We cannot say with absolute certainty how much longer this process this can go on or the directions it will be taking. This is simply because the environment is ontologically independent. The fact that we, like other animals, could destroy entities in the environment does not mean that the environment depends on us. The fact that the lion could eat up a human being does not mean the human being depends on the lion for its existence. Also, the fact that we take in oxygen and destroy it by transforming it into carbon dioxide does not mean that oxygen depends on us for its being. Destruction of entities in the environment by other entities does not have a bearing on the ontological independence of the entity being destroyed. This is simply because the entity being destroyed was not brought about in the first place by the entity doing the destruction. If the sun burns out the earth, for instance, that would not mean that the earth was created by the sun. If a river overflows, for instance, and destroys plants, animals, landscapes, etc, that would not mean that the river was their creator. Conversely, if the soil supports plant life, it could not be said to be its creator. Water cannot be said to be the creator of the entities that could not exist without it.

⁸⁵ Lewontin, Richard C. “There is no environment”, in Peacock Kent A., *Living with the earth*, p.163.

⁸⁶ *Ibid*, p. 159

The picture of the environment thus created gives credence to Heraclitus' idea that the environment is in perpetual flux. But it is very important to point out that Heraclitus was speaking only of natural entities that are ontologically independent. It is even more interesting to note that Heraclitus hinges this perpetual flux, this continuous change, on fire. Fire meant for him a transforming agent or a current of energy through which the world is made dynamic. This current of energy perpetually flows from the sun, thereby keeping the solar system in perpetual flux as measures of it kindle and measures go out.

What this chapter aimed to establish is that the environment exists in an independent manner. That is, that it was not willfully brought into being by a conscious agent. Entities that make up the environment can manipulate, exploit, and use other entities to produce things. But the things so produced are artifacts, invariably meant to serve one purpose or the other. A bird, for instance, can take credit for the existence of her nest. But she cannot be credited with the existence of the grass it used to construct the nest. In a way, the bird can be said to depend on the grass for materials to construct her nest. The grass itself in turn depends on other entities for its existence. Animals also depend on organic and inorganic entities for their existence. But this interdependence does not mean ontological dependence in the sense that none of these consciously or purposely brought the others into existence. This is the way the ontological independence of the environment has been presented in this chapter. In the next chapter, I want to explore the implications of this ontological independence of the environment to make a case for its intrinsic value.

CHAPTER THREE

THE INTRINSIC VALUE OF THE ENVIRONMENT

“Shall I not have intelligence with the earth?
Am I not partly leaves and vegetable mould
myself?

—Thoreau Henry D.⁸⁷

What kind of value does the environment as presented here have? From what has been said so far, the environment has been shown to have ontological independence. But does it by virtue of that have intrinsic value? My answer is in the affirmative. But before I give the reasons for my position, a few preliminary remarks are in order. What, in fact, is value itself? Value denotes worth or what a thing is worth. And this worth is usually taken as a synonym for good. This is why we sometimes talk of something as either having value of some sort or being valueless. For instance, something can have commercial value or be commercially valueless. In this chapter I want to argue for nature’s intrinsic value, opposing it to instrumental value and arguing that an entity need not be a moral agent to have intrinsic value.

Instrumental or extrinsic value is the value an object has by virtue of the purpose it serves. An instrument is what is made to achieve certain aims. All artifacts fall under this category. The moral value of non-human natural entities (and artifacts) is not based on moral agency. They have moral value in the sense of being moral patients, or, as I will show later, being morally considerable. It is only in this sense that we can talk, for instance, of a forest being abused. This cannot be the same as the moral value that humans, endowed with moral capacities like self-consciousness and autonomous choices, have as moral agents. As moral agents, our actions are either moral or immoral. So, our treatment of non-human entities can also be said to be moral or immoral. But the intrinsic value of non-human entities is not moral the way that of humans are. In other words, an entity does not have to be a moral agent to have intrinsic value. This is the case of non-human natural entities, including humans who may not be said to be fully human.

⁸⁷ See Thoreau, Henry David. *Walden*

What is intrinsic value and how do natural entities possess it? I start by contrasting intrinsic value to instrumental or extrinsic value. Where intrinsic or inherent value is the value that a thing has in itself, extrinsic value is the value that accrues to it from outside of itself. G.E. Moore's definition of intrinsic value is apt, even though his target is quite different from that of this project. "For Moore", comments Agar, "whether or not an object possesses intrinsic value is a matter of its intrinsic nature. The intrinsic nature of an object is, in turn, constituted by its non-relational properties, properties that are possessed regardless of context."⁸⁸ Moore therefore defines intrinsic value thus: "To say that a kind of value is 'intrinsic' means merely that the question whether a thing possesses it, and in what degree it possesses it, depends solely on the intrinsic nature of the thing in question."⁸⁹ What is the intrinsic nature of the environment? I think that the nature in question is based on its origin which I have argued is both accidental and purposeless. Humans and other natural entities have the same intrinsic nature. The intrinsic nature that humans share with other natural entities is our common origin which is both accidental and purposeless. That intrinsic nature confers on all natural entities their intrinsic value. Why is this intrinsic value not strictly moral? I said above that only self-conscious beings, taken solely to be humans, can be said to be moral agents. What singles out humans as moral agents? It is the peculiar evolutionary endowments we have. All natural entities have peculiar evolutionary endowments. The peculiar evolutionary endowment of birds is what enables them to fly. As humans we are subjects of autonomous choices and are capable of reflection and understanding in a way that other beings are not. These are the peculiar endowments that make us moral agents. It is from the point of view of these peculiar endowments that we can say that humans are moral agents and their intrinsic value is strictly moral. The moral value of other natural entities is contingent on this human peculiarity. As I said above, because we are moral agents, what we do to the rest of nature can be either moral or immoral. It is therefore in relation to us that their moral value lies. The bird I mentioned above has peculiar endowments that make it possible for it to fly. Such endowments belong to its intrinsic nature and make it, if you will, a flying agent or flying being. The peculiar endowments that make us moral agents belong also

⁸⁸ Agar, Nicholas. *Life's intrinsic value*, p. 8.

⁸⁹ Moore, G.E. *Philosophical Studies*, p. 260.

to our intrinsic nature. But the intrinsic nature that makes all natural entities intrinsically value-able is based on their origin.

I believe that I have made the case, in my discussion of the ontological independence of the environment, that everything that is created is created for a purpose while the environment exists in a purposeless manner. That something exists or was brought into being for a purpose means that it is instrumental to achieving that purpose. A bird's nest serves as an instrument for housing it, its eggs, and its fledglings. If the bird does not have that need, the nest would not exist. It is clear then that the nest cannot be said to have the same value as a river. This is because it is not true that if there is no need for the river to perform certain functions, it would not exist. The river has no creator who created it for that purpose. In this sense, its value is intrinsic while that of the nest is instrumental. As Callicott has pointed out, "...if tools have no instrumental value they would not exist...And since such things exist by artifice, not by nature, if they had not been invented they would not exist."⁹⁰ Another way of saying that something is not created is to say, *a la* Callicott, that it exists by nature. It is this existence by nature that confers on it its ontological independence and its intrinsic value.

I can only make the case for the intrinsic value of the environment from the perspective of its ontological independence—its existence by nature and not by design. Rolston has argued that all living things have intrinsic value in the sense that they are ends in themselves and thus have a good of their own. This, he argues, puts them on a par with us as living beings. Paul Taylor also argues that as moral agents, the reason we should regard other entities, which he calls "wild living things" as having intrinsic value is that it disposes us to give consideration to their own "good". He bases this disposition on what he calls a "...*belief system* that constitutes a particular view or outlook on nature and the place of human life in it."⁹¹ Taylor's belief system is the one that posits that humans are not superior to other entities in the environment. He asserts that the presence of humans in the environment is not necessary in itself nor is it necessary for the survival of the other entities in the environment. He argues that it is rather the existence of these other entities that is necessary for human existence. "Indeed, from their standpoint the very existence of humans is quite unnecessary. Every last man, woman, and child could disappear from the face of the earth without any

⁹⁰ Callicott, J Baird. *Beyond the Land Ethic, More essays on Environmental Ethic*, p. 240-241.

⁹¹ Taylor, Paul W. "The Ethics of Respect for Nature" in *Environmental Ethics*, vol. No 3, Fall 1981, p. 204-205.

significant detrimental consequence for the good of wild animals and plants. On the contrary, many of them would be greatly benefited. The destruction of their habitats by human ‘development’ would cease. The poisoning and polluting of their environment would come to an end.”⁹² Max Scheler makes the same claim when he pointed out that we—as animals—depend on other animals, plants and inorganic entities for our very survival. “The inorganic world in its autonomy displays a proud independence. Plant and animal face man in proud independence; the animal is more dependent upon the existence of plant life than vice versa.”⁹³ Max Scheler’s point is that it is the organic entities that need the inorganic for their very survival and not the other way round. Taylor’s focus is on the biotic community. But if, as he rightly points out, humans cannot exist without plants and other animals, plants and animals cannot equally exist without the inorganic entities that supply them with the vital energy for survival.

How does this advance the intrinsic value of the environment? The ontological independence of the environment has helped to establish that the environment exists independently of any creator. However, as we have seen from both Taylor and Scheler, there is interdependence among all the entities in the environment. This is what is known as the ecosystem or the ecological community. It is crucial to keep in mind that ontological independence is based on the provenance of the environment. I have been insisting that this provenance is purely accidental and not willful. As members of the ecological community, we are in a unique position that allows us, given our endowments and capacity, to understand our world and our place in it. Taylor has proposed that such understanding should give rise to a belief system through which we should be conscious that we are not superior to other natural entities in the environment. This, according to him, should in turn lead to our respect for nature.

I think a proper understanding of our place in nature should lead us to the fact that we evolved like every other natural entity in the environment. This is why I think that although the natural inorganic entities in the environment can exist without the organic entities while the organic ones depend on them for their survival, we cannot credit them with willfully creating the organic entities. We are all products of natural accidental processes. The issue of

⁹²*Ibid*, p. 205.

⁹³ Scheler, Max. *Man’s Place in Nature*, p. 65.

basing our respect for nature on the good of the entities may be slippery because we cannot say with certainty what that good is. However, I think we can base our respect for nature on the fact that we do not ultimately control the processes that brought about its existence.

Since instrumental value is tied in with purpose, and the environment is purposeless, we can therefore only approach it with a concept of intrinsic value. Intrinsic value will therefore be based on our understanding of both the nature of the environment and our place in it. This is why I think that grounding the intrinsic value of entities on their nature is promising. Intrinsic value therefore becomes our way of acknowledging the nature of the entities to whom we ascribe it. But we do not have to equate our understanding of intrinsic value with its dependence on us. Given our endowments, we see what is there and try to make sense of it by saying that it has intrinsic value. It is the way we understand it. It is anthropocentric only in the sense that it is the way we understand it and present it to ourselves. But it is not anthropogenic in the sense that we put it there. As it is with our eyes, so it is with our minds. We see what is there and try to make sense of it. If we can appropriately describe what is before us, then it can help us to fashion our attitude towards it. Our awareness, as Paul Taylor has pointed out, that it would go on being what it is even without us, should help us to adopt the right attitude to it.

If, as humans, we have the awareness of our oneness with nature, then we cannot base the intrinsic value of the entities in the environment on any purpose they may or may not serve. Such value can only be instrumental. We cannot also base it on the fact of the interdependence of all the entities in the environment. My reason for saying this is that, as humans, we can replace the role a particular natural entity plays in the environment by creating an artificial likeness of that entity. Such an entity would then lose its value, in as much as such value is based on the role it plays in the ecosystem.

The issue becomes rather contentious when intrinsic function is brought into the equation. Korsgaard, for instance, holds that what distinguishes intrinsic value is not its non-instrumentality but the fact that it does not get its value from outside of itself. What is important here is how one understands instrumental value. An intrinsic function is the function a particular object is *made* to perform. Such a function will therefore be its *raison d'être*. But one needs to distinguish artifacts from natural objects. No natural object could be said to have an intrinsic function, as its *raison d'être*. Something functions as means to some

end. And for something to have an intrinsic function, as Korsgaard argues, means that without such a function it loses its intrinsic value. It is important to distinguish the function or role an entity plays from its nature. It is the nature of the river to flow, as it is the nature humans to think, reflect, and understand. For now, I will group all these peculiar human characteristics under understanding. But are flowing and understanding their intrinsic functions? It is true that a body of water that does not flow cannot be called a river, but it does not by that fact stop being a body of water. Conversely, a human that does not understand cannot be said to have ceased being human by that very fact alone. So, it is problematic to say that those characteristics are their intrinsic functions, understood as their *raison d'être*. It may be more plausible to say that it is in the nature of those entities to be that way. But their not being that way should not translate into saying that they are not intrinsically value-able. But Korsgaard argues against this. She thinks that what a thing does is what gives it meaning. She finds this expression in the Aristotelian teleological argument. “According to Aristotle, what makes an object the kind of object that it is—what gives it its identity—is what it does, or in Greek, its *ergon*: that is, its purpose, function, or characteristic activity. This is clearest in the case of artifacts.”⁹⁴ I would say that this is true about artifacts, but not about natural entities. The purpose they may serve is not what gives them their intrinsic value or meaning. We can indeed describe what a natural entity does, given its nature, but should we conclude from that description that it is that activity that gives it its meaning? What happens when we do not get the description right, believing all the same that we did? Again, what happens to its intrinsic value if it ceases to function in that particular manner, as is the case with many human beings? I therefore do not think we should take the instrumental value, or any purpose that the natural entities in the environment may have, as their meaning. The value of a bird’s nest is found in the fact that it is a nest—for the bird, her eggs, and fledglings. And that is its *raison d'être*. So its value is purely instrumental and cannot be intrinsic. It is easy to comprehend that what has intrinsic value can also have instrumental value. But this does not seem to be what Korsgaard is saying. In her theory, intrinsic value and intrinsic function are playing the same role in both artifacts and natural entities. “...to be an object, and to have this kind of normative form—that is, to be teleologically constructed—are one and the same thing.”⁹⁵

⁹⁴ Korsgaard, Christine. “The dependence of value on humanity” in *The practice of value*, p. 85.

⁹⁵ *Ibid*, p. 76.

If this is taken literally, it brings up the issue of design. Are the river and the human designed to flow and to understand? If so, who designed them that way? Would it be an intelligent designer, as some people believe? I do not think so. I would rather say that it is in the nature of the river to flow and the human to understand. Could that nature be adequately described as intrinsic function? I would say that these are evolutionary traits or endowments that distinguish these entities. If a human does not understand, whether she is fully human or not does not make her any less intrinsically value-able. If a body of water does not flow, we will not call it a river. But it does not make the water any less natural and intrinsically value-able. So, it may not be plausible to argue that the river is *designed* to flow and the human to think.

The intrinsic value of an entity is what it has in virtue of its nature; its instrumental value, on the other hand, is accidental. Artifacts can only have instrumental value, which would qualify as intrinsic function. As Brennan remarks: “Natural objects contrast with artifacts. Both sorts of objects have structure of varying complexity and both can have functions...But the function of an artifact is the result of design, and this design is intended to satisfy some end. By saying this, I mean to count the beaver lodges as artifacts, but not coral reefs ...natural individuals, whether microbes or tigers have no intrinsic functions at all.”⁹⁶ Beaver lodges would be akin to birds’ nests while coral reefs, like mountains, evolve through accidental natural processes. In differentiating intrinsic value from instrumental value, Katz offers this analogy: “As an individual human being, a university student possesses personal characteristics that give him intrinsic value. As a student this individual also serves a function that is valuable to the community of which he is a member: he attends classes, interacts with the faculty, and uses the facilities of the campus.”⁹⁷ If I understand Katz well enough, then it can be said that the roles such an individual plays are not what confers on him intrinsic value. It is rather the personal characteristics he possesses that point to his intrinsic value. For natural objects, such characteristics would be their ontological independence. From this analogy, Katz derives the intrinsic value of the entities in the environment. “The intrinsic value of an entity is based on its own independent properties.”⁹⁸ It does not need anything outside of itself to confer this value on it. Katz continues: “...*Part* of what we mean by the

⁹⁶ Brennan, Andrew. *op cit.*, p. 41.

⁹⁷ Katz, Eric. *Nature as subject, human obligation and natural community*, p. 40-41

⁹⁸ *Ibid*, p. 45.

intrinsic value of natural entities is their source or origin—what caused them to be what they are. A natural entity possesses intrinsic value to some extent because it is *natural*, an entity that arose through processes that are not artificially human. This ‘naturalness’ is one of the properties that gives it its value.”⁹⁹

I. THE OBJECTIVIST APPROACH

Holmes Rolston III¹⁰⁰, among environmental philosophers, has perhaps devoted the most time and energy to the concept of the intrinsic value of the environment. This is because he takes it to be a *sine qua non* for any meaningful environmental ethic. This is not to say that other environmental philosophers do not see the central place occupied by the concept in environmental philosophy. Callicott has declared as much when he said that it is “...the central theoretical quest of environmental philosophy—intrinsic value for non human natural entities and nature as a whole.”¹⁰¹ Even those who do not agree with Rolston’s point of departure acknowledge the crucial role that intrinsic value plays for any meaningful environmental ethic.

Rolston takes the intrinsic value of the environment to be quite objective. However, his emphasis, like that of Paul Taylor and Kenneth Goodpaster, is on the biotic community. They all find intrinsic value in all living beings. For Taylor, every living being has a good of its own. For Rolston, they both have and defend a good of their own. For Goodpaster, it is just the fact that they live. (I will elaborate on Goodpaster’s point later). What all these accounts have in common is that there is good, or worth, or value that is inherent in nature. I need to point out here that although Rolston’s emphasis is on the biotic community, he leaves open other possibilities when he alludes to whole systems, albeit in reference to the biotic community. Such a possibility would include the whole of the ecosystem. Rolston’s point is that intrinsic value is not dependent on consciousness. According to Callicott, “Rolston’s achievement...is quite extraordinary. For without expressly challenging the broadly modern metaphysical assumptions bequeathed to Western thought by Descartes, Rolston has freed intrinsic value from its dependency not only on a self-conscious human subject, but even on a

⁹⁹ *Ibid*, p. 45.

¹⁰⁰ The dean of Environmental philosophers, according to Callicott, in *Beyond the Land Ethic, more essays in environmental philosophy*, p. 2.

¹⁰¹ Callicott, J Baird. *Beyond the Land Ethic, More essays on Environmental Philosophy*, p. 221

conscious animal subject.”¹⁰² Rolston also makes an interesting, if not ingenious, distinction between what is valuable and what is value-able. Valuable, according to him, is the judgment of a subject in respect of an object or even another subject, but usually from the point of view of expediency. Valuable therefore would readily fit into what has been described as instrumental value. Value-able, on the other hand, denotes the intrinsic value of the environment. It is its ability to, independently, generate value. This sharply distinguishes it from extrinsic and instrumental value. “A sentient valuer is not necessary for value. Another way is for there to be a value-generating system able to generate value, such as a plant or a genome. If you like, that is another meaning of value-er; any x is value-able if x is able to produce values.”¹⁰³ In making the case for the intrinsic value of the environment, Rolston contends that nature, meaning the biotic community, is value-able, given their evolutionary endowments seen in what he calls their “...inventiveness, strategy, remarkable efficiency, wisdom of the genes, exquisite organization to accomplish delicate tasks...”¹⁰⁴ He therefore defines these organisms as value-able, due to their ability to produce values, in human terms. This, according to him, is true of living organisms, from the unicellular to the multicellular. For Rolston, as Callicott has remarked, it is not necessary that this should be a conscious process. Callicott’s comment is quite illuminating. As he aptly points out, “A philanderer, for example, may not realize that he loves his wife until she leaves him. The reason that Rolston’s biocentric account of intrinsic value is so persuasive is precisely because nonconscious organisms can be plausibly portrayed as self-valuing beings, even though they can have no experience of doing so.”¹⁰⁵ Callicott, having accepted, somewhat reluctantly, Rolston’s thesis that valuing can be done unconsciously, goes on to argue for vertebragenic valuing saying that “...nonhuman animals, all vertebrates at the very least, are conscious and

¹⁰² *Ibid*, p. 258. Callicott had earlier argued for the dependence of value on consciousness. “The source of all value is human consciousness, but it by no means follows that the locus of all value is consciousness itself...An intrinsically valuable thing on this early reading is valuable *for* its own sake, *for* itself, but it is not valuable in itself, that is, completely independently of any consciousness...value is, as it were, projected onto natural objects or events by the subjective feelings of observers. If all consciousness were annihilated at a stroke, there would be no good and evil, no beauty and ugliness, no right and wrong, only impassive phenomena would remain.” Quoted in Holmes Rolston’s “Naturalizing Values”, p. 79.

¹⁰³ Rolston, Holmes. “Naturalizing Values: Organisms and Species” in *Environmental Ethics Readings in theory and application*, edited by Pojman Louis, p. 81.

¹⁰⁴ *Ibid*, p. 84.

¹⁰⁵ Callicott, J Baird. *Beyond the Land Ethic, More essays on Environmental Philosophy*, p. 260.

therefore may be said, in the widest sense of the term, to value things.”¹⁰⁶ Rolston asks: “Do not humans value Earth because it is valuable, and not the other way round? Is the value in this life-support system really just a matter of late-coming human interests or is Earth not historically a remarkable, valuable place prior to the human arrival and even now valuable antecedently to the human uses of it?”¹⁰⁷ This is the crux of Rolston’s claim that intrinsic value is objective. In adopting Rolston’s account of objective value in the environment, I need to point out that saying that organisms are self-valuing is an interpretation that we humans make. It is the way we, as conscious beings, describe what is going on in nature. So when we say that the unconscious entities are value-able, we need to keep in mind that these entities are the way they are, that is, unconscious, and that they can continue being that way even if we are not there to describe what is going on. As a human being, I am conscious of my intrinsic value and I can assert it. Non-human entities are not able to do this. But the fact that we are able to recognize the intrinsic value of such entities does not mean that we are the ones that produce the value.

If the intrinsic value of nature is not objective, it would mean that nature has no value except the one bestowed on it by subjects. For Callicott, it would be vertebrates. Rolston notes that Callicott’s vertebragenic axiology is welcome as a possibility but points out that it is not the end of the story as it severely limits what is value-able in the world. “Callicott’s vertebragenic value”, says Rolston, “still leaves most of the world valueless, since the vertebrates are only about 4 percent of the described species. Indeed, since the numbers of individuals in vertebrate species is typically much lower than the numbers of individuals in invertebrate or plant species, real valuers form only some miniscule fraction of the living organisms on Earth”¹⁰⁸ It is certain to Rolston that there can be value without valuers. According to him, when we use the word “benefit”, we are referring to value, like when we say that plants benefit from sunshine. “...*benefit* is—everywhere else we encounter it—a value word.”¹⁰⁹ I have already pointed out that value denotes worth, so benefit, a value word, should be understood in that sense.

¹⁰⁶ *Ibid*, p.224.

¹⁰⁷ Rolston, Holmes. *Environmental Ethic*, p.4.

¹⁰⁸ Rolston, Holmes. “Naturalizing Values: Organisms and Species”, p. 80.

¹⁰⁹ *Ibid*, p. 82.

Rolston's point is plausible. However, the problem with it is that, just as he finds subjectivist valuers guilty of severely limiting the presence of value in the world, he too limits value in the world to the biotic community which equally makes up an infinitesimal part of the natural world.

Rolston's stance would make little or no sense at all to human idealists like John Locke, Korsgaard, or the early Callicott, for whom value is both anthropocentric and anthropogenic. For Korsgaard, for instance, even though the environment may be a bearer of values, it still depends on the human being to confer that value. Commenting on Nietzsche's inquiry into the value of value, she says that "The value of values comes from valuers, and not the reverse, and that fact—that we are the source of value—is also what makes us worthy of moral consideration. Humanity, not the standards implicit in social practices, is the ultimate source of value."¹¹⁰ I agree with Korsgaard that our presence, given our evolutionary endowments, is important in the theory of axiology. However, I find it difficult to draw the same conclusion she does, namely, that humans are the ultimate source of value. We may be the ultimate source of the recognition of value. But this is only because the entities in the environment, given their nature, which is their ontological independence, possess intrinsic value which we recognize. But our recognition of that value does not mean that we are its source. Our difference from the rest of nature is one of degree. If we accept that, then we can also accept the quotation from Thoreau, cited at the beginning of this chapter. We can therefore say that the consciousness of our oneness with nature, what Paul Taylor says should form our belief system, should prevent us from saying that we are the source of its value. We evolved like every other entity in the environment. But our unique endowments do not make us superior to all the other natural entities in the environment. As Paul Taylor asks, "Why should the arrangement of genes of a certain type be a mark of superior value, especially when this fact about an organism is taken by itself, unrelated to any other aspect of its life? We might just as well refer to any other genetic make up as a ground of superior value. Clearly we are confronted here with a wholly arbitrary claim that can only be explained as an irrational bias in our own favor."¹¹¹ Such a claim would be similar to the one we found in the Judeo-Christian tradition of the stewardship approach where humans are in charge as representatives of God, given their "privileged" or "god-like" nature.

¹¹⁰ Korsgaard, Christine. *op cit.*, p. 85.

¹¹¹ Taylor, Paul W. *op cit.*, p. 216.

I have claimed that the intrinsic value of the non-human entities in the environment is not a moral value. My reason is that for a being to have an intrinsic moral value, in the strict sense of the word, it has to be a moral subject, at least in a potential sense. One can therefore talk of the moral value of non-human nature in contradistinction to the moral value of humans who are moral agents. I am arguing that only human beings can be said to be moral subjects because of their evolutionary endowments that makes them subjects of autonomous choices. In other words, humans possess a peculiar nature which other entities do not have. Other natural entities equally possess peculiar endowments which humans do not have. As members of the ecological community, we should extend our moral considerability or attention to the other entities in the environment. However, we cannot equate that moral considerability¹¹² with moral agency; nor the intrinsic value of nonhuman nature with moral value of humans. Since it is only humans that possess a peculiar nature that make them moral agents, that is, subjects of autonomous choices, reflection, understanding, responsibility; it is only humans that can be said to be moral agents and not the other natural entities in the environment. The latter can have moral value only in respect to human beings who are moral agents. Therefore, if intrinsic value implies moral agency, then it would be absurd to talk of the environment as having intrinsic value. As Nietzsche has pointed out, “It is absurd to praise and censure nature and necessity.”¹¹³ Narveson would also be right in saying that “...the view that Nature Itself is a sort of moral agent in her own right is, I am bound to say, one of the most deeply incoherent views in the whole philosophical world, not easily matched by any of the legendary metaphysicians.”¹¹⁴

There are, says Sterba, several approaches one can have to practical problems. One can have either a moral or a nonmoral approach. “Nonmoral approaches to practical problems include the *legal approach* (what the law requires with respect to this practical problem), the *group* or *self-interest* approach (what the group or self-interest is of each of the parties affected by the problem), and scientific approach (how this practical problem can best be accounted for or understood). To call these approaches nonmoral, of course does not imply that they are immoral. All that is implied is that the requirements of these approaches may or

¹¹² This notion will be discussed more in the next chapter, section II.

¹¹³ Nietzsche, Friedrich. *Human all too Human*, § 107.

¹¹⁴ Narveson, Jan. “Resources and Environmental Policy” in *Ethical Issues*, p. 119.

may not accord with the requirements of morality.”¹¹⁵ Sterba then gives two essential features of the moral approach:

1. The approach is prescriptive, that is, it issues in prescriptions, such as, “do this, don’t do that.”
2. The approach’s prescriptions are acceptable from the standpoint of everyone affected by them.¹¹⁶

Environmental ethicists have been trying to fulfill these conditions of morality without success. The reason is that the scope of environmental ethics goes beyond human beings who are moral agents. It also goes beyond living beings to include nonliving nature. The only way environmental ethics could fulfill the conditions of morality enumerated above may be in taking a purely anthropocentric approach to environmental ethics. Not many environmental philosophers are willing to go that route. One of the reasons is that it smacks of the Judeo Christian stewardship approach to environmental ethics, with its attendant difficulties, which I have mentioned to above. It basically consists in not seeing intrinsic value but only instrumental value in nonhuman nature. In other words, what we do to nonhuman nature matters and ought to be acceptable to humans who are directly or indirectly affected by it. The other religions discussed in the first chapter fare better in conferring intrinsic value to nonhuman nature. However, the problem, as I also pointed out, is that they posit the locus of that value in the invisible world, thereby devaluing the entities in real terms.

In the quest to properly maintain the scope of environmental ethics as stated, some philosophers, like Norton¹¹⁷ simply assert that the intrinsic value of non human nature is anthropocentric. Others, like Rollin (as we shall see shortly), maintain that they are instrumental, that is, relative to sentient nature. On their part, Rolston and Paul Taylor try to limit the scope of environmental ethics to living entities that have an “interest” in staying alive. Their intrinsic value, in the Kantian sense, is therefore located in their life. Aldo Leopold, the father of environmental ethics, tried to link the respect for all nature, which he called the land, to the ecosystemic well being.

¹¹⁵ Sterba, James P. *Earth Ethics, Introductory Readings on Animal Rights and Environmental Ethics*, p. 1.

¹¹⁶ *Ibid*, p. 2.

¹¹⁷ Norton, Bryan. “Environmental Problems and the Future Generation”, in Sterba, James P. *Ibid*, pp. 123-131.

What all these attempts show is that the intrinsic value of all natural entities, whether it is anthropocentric or non anthropocentric, is necessary for the grounding environmental ethics. The reason why this move is thought necessary, is that intrinsic value has been understood in the Kantian moral sense where what has intrinsic value, namely humans, are the only beings worthy of moral consideration. For Kant, what has intrinsic value should never be treated as a means but always as an end.

I propose (in the following section) that we could understand the intrinsic value of nonhuman nature as aesthetic. This would enable us to have a legal approach to their respect. It would also achieve the same aim as that of the environmental philosophers who want to ground the respect for nature on intrinsic moral value. A legal approach is also not immoral. Nor is it amoral. As I will show later, it implies moral considerability.

The intrinsic value of humans is based on the understanding that we are ends in ourselves, that is, not made to be instruments to any particular end. What gives humans such an ontological status is the fact that we evolved naturally and accidentally, just like all natural objects. So, what we, as late comers to the universe, have in common with the other entities in the environment is our common origin. We therefore owe them respect as members of the ecological community with whom we share the same origin. If that origin confers intrinsic value on us, it also confers it on them, ipso facto. The reason I maintain that such an origin confers intrinsic value on all who partake of it is that, given its purposelessness, it cannot be said to confer extrinsic or instrumental value on us. Extrinsic and instrumental values belong to artifacts. I am not denying that natural entities can have extrinsic and instrumental values. But in contradistinction from artifacts, such values cannot be said to be their *raison d' être*. So, from the point of view of origin, our intrinsic nature is the same as that of other natural entities in the environment. It is on this intrinsic nature, according to Moore, that the intrinsic value of the environment is based.

II. ONTOLOGICAL INDEPENDENCE, ANTHROPOCENTRISM AND THE INTRINSIC AESTHETIC VALUE OF THE ENVIRONMENT

In the *Critique of Pure Reason*, Kant outlines how knowledge is centered on the knowing subject through what he calls the pure concepts of the understanding. It is on these pure concepts that knowledge depends. And being pure concepts, they do not have to depend on experience. At the beginning of the book, he stated: “That all our knowledge begins with experience there can be no doubt.”¹¹⁸ But in the very next paragraph, he says that knowledge beginning with experience does not mean arising from experience. For knowledge to be valid, it has to conform to what he calls the internal sense. “...all phenomena are not things by themselves, but only the play of our representations, all of which are in the end determinations only of the internal sense.”¹¹⁹ Knowledge is therefore, as Kant has shown, anthropocentric.

Environmental philosophers try to downplay the role of the mind in the acquisition of knowledge. Some cite Putnam’s twin earth thought experiment to show that meaning is not in the mind. According to Callicott, knowledge is fundamentally physical. “As science looks deeper and deeper into the farther reaches of space and time and into the finest structures of matter, it becomes more and more apparent that knowledge is fundamentally physical—not attribute of a nonphysical substance, the Cartesian thinking thing or passive sapient subject. Energy is among other things, information and information is energy.”¹²⁰ The aim of this approach is to show that as humans we are first and foremost part of the environment. This is supposed to foster environmental consciousness or what some call the “environmental turn”. I am skeptical about the importance of this approach whose ultimate aim, I believe, is to establish that since the human mind is part of the environment, then as humans, we owe the *same* moral duties to humans and to the environment as a whole. Knowledge needs concepts and a concept is still a concept whether it starts from the mind or from the environment. As a concept, it is limiting.

Kant has shown that human knowledge depends on our concepts. But, granted that concepts are indispensable to our knowledge; could we also say that concepts are indispensable to our aesthetic appreciation of nature? Kant’s answer in the *Critique of the*

¹¹⁸ Kant Immanuel, *Critique of Pure Reason*, in *Basic Writings of Kant*, edited and with an introduction by Allen Wood, p. 65.

¹¹⁹ *Ibid*, p. 65.

¹²⁰ Callicott, J. Baird. *Beyond the Land Ethic, More essays on Environmental Ethic*, p. 231-232.

Power of Judgment is negative. For him the appreciation of nature is conceptless. As in the *Critique of Pure Reason*, where knowledge is centered on the knowing subject, in the *Critique of the Power of Judgment*, the aesthetics of nature is also centered on the subject, but with a crucial difference. Whereas in the *Critique of Pure Reason*, the subject brings her pure concepts of the understanding to phenomena, in the *Critique of the Power of Judgment* the appreciation of nature is conceptless. Kant's treatment of the appreciation of nature is remarkable in the sense that in this work, one notices a considerable difference from the tone of the arguments in the first two *Critiques*. As Wood points out, "...the *Critique of Judgment* reveals Kant, now in his late sixties, as a philosopher who is still willing to question and even revise the fundamental tenets of his system"¹²¹ I agree with Wood that in the *Critique of Judgment*, there is a certain kind of opening one may not find in the first two *Critiques*.

In the *Critique of Judgment*, then, Kant outlines his arguments for a conceptless, pre-theoretical appreciation of natural objects by a subject through an immediate encounter between the two. At the same time Kant argues that this appreciation and its resultant aesthetic judgment, although grounded on a subjective experience, can lay claim to universal validity.

When I say that something is beautiful, what does that mean to Kant? Something that is beautiful is something that evokes in me an immediate feeling of pleasure. Immediate here means without concept. My judgment of the thing as beautiful is not as a result of my knowledge of it but purely an emotional judgment. Kant puts it this way: "The beautiful is that which, without concepts, is represented as the object of a *universal* satisfaction."¹²² So, when I say something like, "the countryside is beautiful", "the animal is beautiful"; I am, according to Kant, making a judgment of taste or aesthetic judgment. This kind of judgment contrasts with a cognitive judgment which is a judgment based on the knowledge of the object. Pratt et al. comment on this point thus: "The poppy is judged as beautiful not in virtue of my concept of it as a particular type of flower, nor in virtue of my knowledge that it is the source of opium. I call it beautiful because the poppy evokes an immediate feeling of pleasure, which is a response unmediated by a concept of the object."¹²³

¹²¹ Wood Allen, in the introduction, *Basic Writings of Kant*, p. xix.

¹²² Kant, Immanuel. *The critique of the power of judgment*, p. 182-183.

¹²³ Pratt, Vernon et al, *Environment and philosophy*, p. 143.

It is easier to appreciate why Kant insists on the conceptlessness of the aesthetic appreciation of nature when one keeps in mind his distinction between what is natural and artificial in art:

If someone searching through a moorland bog finds, as sometimes happens, a piece of carved wood, he does not say that it is a product of nature, but of art; the cause that produced it conceived of an end, which the wood has to thank for its form. In other cases too one sees an art in everything that is so constituted that a representation of it in its cause must have preceded its reality (as even in the case of bees), although it may not exactly have **thought** of the effect; but if something is called a work of art without qualification, in order to distinguish it from an effect of nature; then by that is always understood a work of human beings.¹²⁴

Kant does not think that other animals, apart from human beings possess rationality, and that is why he seems reluctant to categorize the products of other animals such as honeycombs constructed by bees, and nests constructed by birds, as having the same status as human creations. Nevertheless, we should not lose sight of his point that what is natural is what is not created with a purpose in mind, even if that mind is not the human mind.

Earlier in the work, Kant had distinguished between two types of beauty: free and dependent. Free beauty is self-subsistent beauty, or what I would call ontologically independent beauty. It "...presupposes no concept of what the object ought to be; the second does presuppose such a concept and the perfection of the object in accordance with it."¹²⁵

In this way, we can say that the aesthetic approach to nature is not anthropocentric in the sense that it is neither based on our knowledge nor on any human interest or utility. The aesthetic value of nature, seen thus, is therefore intrinsic, as opposed to instrumental. It may then help us to let the environment "speak" to us, instead of us determining a priori what it is.

We can therefore see that the intrinsic value of the environment is aesthetic and not moral. Moral values are based on mediated, universal concepts that prescribe what ought and ought not be done and must be acceptable to all involved, specifically, moral subjects. Aesthetic value, on the other hand, does not necessarily depend on concepts, from the point of view of the subject. It does not issue in prescriptions. In other words, the aesthetic approach to nature does not have to fulfill the essential features of morality. Unlike morality, aesthetics involves immediacy; it is like ecstasy. As such it requires no mediation. As Shakespeare

¹²⁴ *The critique of the power of judgment*, p. 182-183.

¹²⁵ *Ibid*, p. 115.

declared, “Beauty itself doth of itself persuade the eyes of men without an orator.”¹²⁶ The Igbo say something similar.¹²⁷ Alexander Pope affirms the same thing when he said that “All nature is but art unknown to thee...one truth is clear, whatever is, is right.”¹²⁸ Saying that nature is art “unknown” could be interpreted to mean that knowledge is not required when nature is approached aesthetically.

What all these expressions point to is that objects that arouse aesthetic interests are valued in virtue of their aesthetic qualities, such as the majesty of a waterfall, the colour combinations of an animal or plant, etc, which these natural entities possess. These objects evoke immediate emotional feelings. They are, according to Nietzsche “...artistic energies which burst forth from nature herself, *without the mediation of the human artist*; energies in which nature’s art-impulses are satisfied in the most immediate and direct way...”¹²⁹

The aesthetic experience of nature is an immediate experience quite distinct from the aesthetic experience one can have before any created work or artifact. Such experience distinguishes what is natural from and what is artificial. Whereas the aesthetic value of the environment is an intrinsic value; that of artifacts is not. This is because artifacts are made with a purpose in the mind of their creators and can only have value in that context alone—that is, the context of the intention of their creators. (This, of course, does not rule out accidental meanings they may come to have for some people). What underscores this difference is the essentially different origins of both nature and artifacts. Our encounter with nature is marked by perpetual wonder. In the case of artifacts, they may instill some wonder in us, but the fact that we are able to explain their origin makes such wonder very ephemeral. One can also understand Heraclitus’ saying that nature loves to hide in this context. We cannot say the same thing of artifacts. As Pratt et al. point out,

An artwork is first and foremost an intentional product. As such it is an object that embodies the ideas of its maker. It follows from this that our response to artworks is shaped and in some sense controlled by the properties of the particular object—the colours, lines, forms and images on a canvas, or the notes and melodies of a tune. Our experience is thus *directed* by cues in the artwork through whatever particular medium we encounter. In this way, the experience is overlaid by an awareness that the object is intentional so that we seek meaning in the object through aesthetic engagement with it.

¹²⁶ Shakespeare, William. *The rape of Lucrece*, L.29.

¹²⁷ “Ife di nma n’anya yi” What is beautiful goes with the eyes. Or vice versa.

¹²⁸ Pope, Alexander. *An Essay on Man*, Epistle I, L 267.

¹²⁹ Nietzsche, Friedrich. *The Birth of Tragedy*, § 2.

The meanings we seek are there to be found, and we attribute such meanings to the artist who has ‘purpose-built’ the object for our interpretation and enjoyment.¹³⁰

If one accepts the distinction between intrinsic value and instrumental value, where what has intrinsic value has it—in contrast to instrumental and extrinsic value—in its being and not by virtue of any purpose it is meant to serve, then one can see why the aesthetic value of the environment, since it has no purpose built into it, is an intrinsic value. Purposelessness, as pointed out in the preceding chapter, therefore confers, not only ontological independence but equally aesthetic independence on the environment.

So, where artifacts could be said to have only instrumental aesthetic value, natural entities have intrinsic aesthetic value, based on their ontological independence; this makes our appreciation of them disinterested. One can therefore say that nature is, aesthetically, an end in itself. Respecting nature would therefore be a way of respecting her intrinsic aesthetic value.

Eugene Hargrove, in his “The Aesthetics of Wildlife Preservation”, argues that nature’s intrinsic value is aesthetic. However, he also argues that both natural entities and artworks have aesthetic intrinsic value. He goes on to show that this value is both anthropocentric and non anthropocentric. In other words, for him, nonhuman nature has both intrinsic and instrumental aesthetic value. Natural aesthetics, he says, evolved directly out of art aesthetics. “...the movement was from the ideal to the actual or real, from the general or universal to the particular or individual, and from the artificial to the natural in such a way that aesthetic appreciation became focused on natural objects and living organisms as objects of interest for their own sake.”¹³¹

According to Hargrove’s argument, there are general principles or forms, in the Platonic sense, involved in aesthetic judgment. When a person first sees a wild animal, for instance, she will be try to discern the characteristic properties of the species the animal represents. She would therefore need to see different animals of the same species before she can have “...an adequately generalized conception of what a member of that particular species should look like”¹³² This is a good example of a science based approach to natural aesthetics.

¹³⁰ Pratt, Vernon et al, *op. cit.*, p. 147.

¹³¹ Hargrove, Eugene. “The Aesthetics of Wildlife Preservation”, in Sterba James P. *op cit*, p. 132.

¹³² *Ibid*, p. 133.

But there is surely a difference between, for instance, an ant scholar and the person who contemplates an ant for its own sake. The former is seeking knowledge while the latter simply marvels, in a disinterested manner, in the wonder of the ant. This, I think, is why Krishnamurti, an Indian mystic, was reported to have said that “The day you teach the child the name of the bird, the child will not see that bird again.”¹³³ Korsgaard was also talking in the same manner when she said that “...I think you could be dazzled by a spectacular sunset even if it is the only one you ever saw, and no one in your culture talked about such things. It might just strike you as being perfect of its kind, where its kind is given just by itself. That is what the most beautiful things are like.”¹³⁴

Hargrove takes a similar view in the appreciation of non animal nature such as mountains. Such appreciation could be done without the framework of forms. In other words, conceptless, in the Kantian sense.

A very important point in Hargrove’s argument is that the intrinsic aesthetic value of nature is not necessarily non anthropocentric. This is because, according to him, “Our aesthetic appreciation of art objects requires anthropocentric intrinsic value of some kind.”¹³⁵ He therefore concludes that the intrinsic aesthetic value of nature is both in the experience and in the object itself. What this means is that attributing value to an object does not mean that the value cannot be non anthropocentric. Although such an object may have instrumental value, its intrinsic value overrides its instrumental value. Hargrove gives an example of how an aesthetic object can be valued both intrinsically and instrumentally: “...cave formations and prehistoric cave paintings can be damaged and destroyed by fungus that grows using the light required for tourist viewing. When such objects are protected by turning out the lights and discontinuing the tours, they are considered to be of intrinsic value. If the tours are continued until the objects are destroyed and the tours no longer profitable, the value of the objects is instrumental only...”¹³⁶

Another difficulty with Hargrove’s view, apart from the one I have already pointed out concerning the contemplation of animals, is that he lumps together natural objects and artifacts, which are representations of natural objects simply because they both have aesthetic

¹³³ See De Mello, Anthony. *Awareness: the perils and opportunities of reality*, p.121.

¹³⁴ Korsgaard, Christine M. “The dependence of value on humanity” in *The practice of value*, p. 78-79.

¹³⁵ Hargrove, Eugene, *op cit*, p. 134.

¹³⁶ *Ibid*, p. 135.

value for humans. The artifacts are made to satisfy human aesthetic pleasure, in that sense they are purely instrumental. The same thing cannot be said of natural entities that have intrinsic aesthetic value, owing to the fact that they were not originally produced to satisfy any aesthetic pleasure.

However, it is important to note that Hargrove emphasizes that humans must cooperate in the respect for the intrinsic aesthetic value of nature.

Bernard Rollin also suggests such cooperation in the respect of aesthetically valuable objects. However, unlike Hargrove, he does not think non-sentient natural entities have intrinsic value even though his concern is more explicitly moral. For him, the value of non-sentient natural entities is contingent on their importance to sentient beings. “Why grant animals rights and acknowledge in animals intrinsic value? Because they are conscious and what we do to them matters to them? Why grant rocks, or trees, or species, or ecosystems rights? Because these objects have great aesthetic value, or are essential to us, or basic for our survival? But these are paradigmatic examples of *instrumental* value.”¹³⁷ The aesthetic value Rollin talks of is *for* sentient beings. As he said, it is purely instrumental. But he goes on to talk of the moral power of aesthetic claims. “Too many philosophers, forget the moral power of aesthetic claims and tend to see aesthetic reasons as a weak basis for preserving natural objects.”¹³⁸

I find it difficult to follow Rollin’s line of argument. On the one hand there is the direct moral concern for sentient beings who have intrinsic value, and on the other the moral power of aesthetic claims. Having argued that aesthetic value is purely instrumental, I do not see how it can also be moral. As we shall see later, Rollin talks rather of a legal framework for the respect of the aesthetic value of objects.

So far we have arrived at a clear distinction between what is natural and what is artificial as it concerns aesthetics. What is natural is appreciated in a pre-theoretical, conceptless manner simply because it is not created with any concept in mind. As I said earlier, Kant argues that the appreciation of what is natural, although grounded on subjective feelings, can lay claim to universal validity. In the rest of this section, I want to inquire whether this manner of appreciation is unique to human beings. If it is not, then it could help to establish the aesthetic independence of natural entities. Here I am following the tradition in

¹³⁷ Rollin, Bernard. “Environmental Ethics and International Justice”, in Sterba, James P. *op cit*, p. 113.

¹³⁸ *Ibid*, P. 113.

environmental philosophy that is based on making the value of the environment as little anthropogenic as possible.

The aesthetic experience of nature is usually neither concept nor knowledge based. For Kant, to say that something is beautiful is not tantamount to making an objective statement. It simply means that there is an agreement between the perceptual qualities of the object and what he calls the mental qualities of the imagination and understanding. Now, these mental qualities are common to every human being as long as she wants to make an aesthetic judgment by means of the understanding and sensation.¹³⁹ Kant therefore defines what is beautiful thus: “That is **beautiful** which pleases without a concept.”¹⁴⁰ Kant’s point is that what is beautiful for any one human being should ipso facto be beautiful for every human being even though it is not based on any concept or any knowledge. The reason why aesthetic judgment is subjective for Kant is not because “beauty is in the eye of the beholder”—which Kant repudiated—but rather because first, it arises not from a concept of the object but rather from a feeling in the subject and secondly, it arises in an encounter between the one who appreciates and the object of his/her appreciation.

Kant goes to a great length to show how a subjective aesthetic judgment can have universal validity. An important feature of this argument is what he calls disinterestedness. This concept could be interpreted in the light of his other concept that no human being should be seen as a means to an end but rather as an end itself. As I have already pointed out. We approach nature aesthetically when we have no aim to use her as a means to any sensory or utilitarian gratification. This quality of disinterestedness gives aesthetic judgment universal validity. It is also this quality that led Kant to say that aesthetic judgment even though grounded on subjectivity, is neither strictly subjective nor objective. This is because it asserts the agreement of others and a universal validity. This makes it to lie between subjectivity and objectivity.¹⁴¹

The attempt to deal with this subjectivity and objectivity as regards environmental aesthetics has led to the debate as to whether it should be science or non-science based. This has also led people to inquire whether other beings, apart from humans, appreciate nature. Those who argue for the science-based approach place a strong epistemological conditionality

¹³⁹ *The critique of the power of judgment*, p.104.

¹⁴⁰ *Ibid*, p.104.

¹⁴¹ *Ibid*, 145-146.

when they maintain that we need knowledge of the natural sciences for our appreciation of nature. The concern of the proponents of the science-based model is for an appropriate appreciation of the entities in the environment. According to Carlson, this is important, otherwise a whale could easily be called a bloated fish. “The rorqual whale is a graceful and majestic mammal. However, were it perceived as a fish, it would appear more lumbering, somewhat oafish, perhaps even a bit clumsy (may be somewhat like a basking shark).”¹⁴² It is this concern that leads them to propose “appropriate” perception of the environment. This would be similar to Hargrove’s appreciation of wild animals, based on general principles and forms. This is the type of argument that Carroll objects to in his article “On Being Moved by Nature: Between Religion and Natural History” where he objects to Carlson’s argument that the appreciation of the natural environment requires a model.¹⁴³ Carroll argues that there are “...certain very common appreciative responses to nature—responses of less intellectual, more visceral sort, which we refer to as ‘being moved by nature’...For example, we may find ourselves standing under a thundering waterfall and be excited by its grandeur...”¹⁴⁴ This emotional arousal by nature, according to Carroll, is “pre-theoretical”.

Kantianism is quite concerned about the universalizability of (human) rational activities. Despite this concern, Kant insisted that the aesthetic appreciation of nature is not concept and knowledge based. The science based model depends on scientific concepts which respond more readily to the demands of objectivity and universal applicability more than the Kantian approach could yield.

As Carroll has rightly pointed out, being moved by nature does not require any epistemological initiation. This is because one could be “overwhelmed” or “excited” immediately by the grandeur of a waterfall, or some other natural scene. No epistemological or cognitive mediation is needed for this experience to be valid. What this requires is being able to be “moved” by nature, as in the case of chimps appreciating the sunset. Noel continues: “Perhaps it only requires being human, equipped with the senses we have, being small and able to intuit... Nor need the common sense of our culture come into play. Conceivably humans from other planets bereft of waterfalls could share our sense of grandeur.”¹⁴⁵

¹⁴² Allen, Carlson. “Appreciating Nature” in *Arguing about art*, p. 163....in *Arguing about art*...

¹⁴³ Carroll, Noël. “On being moved by nature: between religion and natural history”, in *Arguing about Art*, p. 167. I will come back to this in following chapter.

¹⁴⁴ 91 *Ibid*, p. 168.

¹⁴⁵ Carroll, Noël. “On being moved by nature” in *Arguing about art*, p. 172-173.

This type of allusion to beings from other planets is what the alternative approach responds to. It brings to mind the twin earth thought experiment. It also responds to the question of the intrinsic value of the environment, that is, value that does not depend for its existence on valuers, even though its recognition may rightly be said to depend on them. If other beings from other planets could find the environment valuable, then we might say that the existence of its value does not depend on (human) valuers. In other words, the value of the earth or the universe would be guaranteed even if there are no humans on it.

These valuers will, in the Kantian sense, be valuing or appreciating the environment in a disinterested way, based on subjective feelings which (legitimately) could lay claim to universal validity. Rolston has put it rather powerfully when he said that “To say that something is intrinsically valuable means that it is of such kind that were valuers to arrive they might value it intrinsically rather than instrumentally. The trilobites that went extinct before humans evolved were (potentially) intrinsically valuable. Undiscovered species on Earth now or on uninhabited planets are intrinsically valuable in this potential sense.”¹⁴⁶

Seen in this way, the alternative aesthetic approach lends support to the intrinsic value of the environment. It also makes the point that this value is aesthetic value. This is because the other beings will be valuing the environment in a disinterested, purely aesthetic manner. Or, at least, their interest could not be same as ours.

In the next, and last, chapter, I explore the implications of both the ontological independence and intrinsic aesthetic value of the environment for its respect and rights. What type of right does the environment have and what should be our attitude to that right? In other words, what type of environmental ethic could we derive from these concepts?

¹⁴⁶ Rolston, Holmes. *Environmental Ethics*, p. 114.

CHAPTER FOUR

NATURAL RIGHT AND ENVIRONMENTAL ETHICS

“The land ethic of course cannot prevent the alteration, management, and use of these ‘resources’, but it does affirm their right to continued existence, and , at least in spots their continued existence in natural state.”¹⁴⁷

II. INTRODUCTION

Given the intrinsic value of the environment, what kind of right does it have? In the preceding chapter, I argued that this intrinsic value is aesthetic and not moral. Here I also want to argue that the right of the entities in the environment is natural and not moral. I will also make a case for the legal right of the non-human entities in the environment. As the title of this chapter states, my aim here is to sketch an environmental ethic compatible with the notions that have been discussed so far. I begin with the natural right of the environment.

II. NATURAL RIGHT OF THE ENVIRONMENT

The words nature and natural have multiple uses and equally multiple interpretations in philosophical literature. They are words that are easily invoked in almost every domain to justify certain ideas and practices. Nowadays, for instance, we often hear arguments that it is not natural for humans of the same sex to marry. On the opposing side is the argument that it is natural for humans to do so.

For Aristotle, it was simply a fact that some men are slaves by nature while others are masters by nature. Some are strong and some are weak by nature. It was therefore clear to him that it is natural that the strong should lead the weak, and that there should be masters and slaves. It was also clear to him that by nature men are superior to women.

Many philosophers have reacted to this claim of Aristotle by arguing that all humans are by nature equal. My argument here is that all natural entities are equal by nature which is based on their origin—in the fact that they all evolved through accidental natural processes.

¹⁴⁷ Leopold, Aldo. “The Land Ethic” in *A sound County Almanac*, p. 219.

Both natural right and intrinsic value have been understood mostly as moral right and have been attributed to humans alone. But as we have seen, the intrinsic value of nonhuman nature could be understood as aesthetic.

Some environmental philosophers hesitate to declare that non-human natural entities in the environment have moral rights. The emphasis is rather on how we, as moral agents, should treat them. In his article that I have cited a number of times in the preceding chapter, where he argues for the intrinsic value of the (biotic, non-human) entities in the environment from the perspective of their having a good of their own, Paul Taylor declares that “I have not asserted anywhere in the foregoing account that animals or plants have moral rights...I do not think that the reference class of the concept, bearer of moral rights, should be extended to include nonhuman living things.”¹⁴⁸ I submit that his reason is that non human nature cannot meet the exigencies of morality, as stated above. Taylor also argues for the legal rights of the entities in the environment, as a public recognition of their intrinsic value. Taylor arrives at his position through his ethics of “respect for nature” which he elaborates in his discussion of the intrinsic value of nature (living things), based on their having a good of their own. His argument, put succinctly, is this: if humans have intrinsic value because they have a good of their own, other living things also have intrinsic value because they equally have a good of their own. It is having this good of their own that makes them equal to human beings. I arrive at the same position through the ontological independence of the environment. My argument is based on origin. Both humans and all the natural entities in the environment evolved through accidental natural processes. It is this common source of their origin that confers on them ontological independence and intrinsic value. However, each particular kind of entity has its own peculiar characteristics. As humans, we are endowed with mind which makes it possible for us to make autonomous choices, defend those choices and assert our intrinsic value. It is also this characteristic that makes us moral agents and confers on us moral rights. Other entities do not have that capacity and so they are not moral agents and consequently do not have moral rights. I am also arguing that moral considerability should be extended to include those entities. This distinguishes the morality that involves all natural entities from the morality that involves only humans as moral agents. I am therefore arguing here that way to do it effectively is through a legal framework.

¹⁴⁸ Taylor, Paul. « The Ethics of Respect for Nature » , in *Earth Ethics, Introductory Readings on Animal Rights and Environmental Ethics*, p. 95.

What we have in common with all the natural entities is the nature of our common origin. We are all products of the same accidental natural processes. This unique notion of natural rights is based on the fact that every being that has the nature in question, by the very virtue of having that nature, also has those rights. An analogy might be helpful here. All human beings, in so far as they are human beings, have the natural rights that all human beings have (human rights). Some humans have certain capacities or merits which other humans do not have. Those capacities or endowments confer on them some privileges which may not be accessible to other humans who are devoid of such endowments. It would be irrational to assert that since some humans have certain capacities or endowments, like phenomenal Intelligence Quotients (IQ), differences in sex and size, therefore every human should be subject to the responsibilities and privileges that are attached to such endowments. It would also be irrational to assert that only humans with such endowments can have human rights. What makes us equal as humans is our common humanity, or the fact that we are humans. Therefore, the only condition for having such rights and privileges is to belong to the human family. If, therefore, we accept that all human beings have human rights, then we can also accept that all natural entities, in so far as they have the same nature, that is, they are products of accidental natural processes, have natural rights. As in the case of intrinsic value, the natural right that humans share with other non-human natural entities in the environment is conferred on them by their intrinsic nature which I have described above. It is on this nature that the natural right I am talking of here is based. Our peculiar endowments, as humans, confer on us moral rights, privileges and responsibilities which the others that are not humans do not share simply because they do not have those peculiar endowments. But the fact that we possess such capacities should not lead us to take ourselves as superior to other natural entities. This is because they also possess, in varying degrees, capacities that we do not possess. So, if we are superior to them in possessing what they do not possess, they are equally superior to us in possessing what we do not possess.

If we accept that we share the same particular nature with all the entities that make up the environment, then it remains to be seen what kind of attitude that should elicit from us. According to Paul Taylor, that attitude should lead to an ethics of respect for nature. In some of the religions and cultures mentioned earlier, the respect accorded to the entities in the environment stems, not so much from their metaphysical or religious endowments as from

their very nature. The Igboman respects the land, the plants, animals, and all other entities in the environment with the consciousness that he did not put them there and that they have an origin that is absolutely independent of him. It is the consciousness of the independent coming into being and existence of these entities that led—actually misled—they to posit their provenance in invisible forces.

When Buddhists ordain a tree, what they are saying in effect is that such an entity could be expected to behave like human priests. The same thing is prevalent in Igbo traditional religion and in Hinduism where non human natural entities are falsely attributed with human characteristics in order to instill respect for them in humans. But if we see our oneness with the rest of nature and also the limits of that oneness, then our attitude of respect for them should be put into proper perspective. Our oneness with them is to be found in the fact that we evolved the way they did. And the limit of that oneness is that we also have capacities which they do not have. Therefore, respect or rights for them should be limited to what makes us one with them. So, the natural right that we share with them is the one that is based on our common origin. We do not share with them the endowments that make us moral beings. So, it should then follow that we cannot share moral rights with them. The ethics of respect for the environment should therefore not be based on the moral rights of all the entities that make up the environment, as Paul Taylor has pointed out. This is because not all natural entities are endowed with moral capacities. Now, as moral agents, there is nothing wrong with extending moral considerability to non moral agents. But I do not think we should assert that such moral considerability should be taken to mean a strict moral duty. As moral agents, our primary moral concern should be other moral agents. That is, one has responsibilities and also rights in the social community. It is only in this context that we can talk of strict moral duty. Now as moral agents, we cannot help but behave accordingly. Anything short of that would be denying our nature. Not only do we interact with natural entities, (as we do with artifacts), but we also share a certain nature with them. So, although we do not share our moral nature with them, we could still respect them. Our moral considerability for non-human nature is brought to bear on the fact we are moral agents. The field of our moral behaviour is not made up only of moral agents. Given this fact, it could therefore be said that we owe moral duties only to moral agents in the environment and moral considerability to natural, non-moral agents in the environment.

This, I think, is the attitude that most environmental philosophers adopt. When they talk of duties to the environment, one can understand it as moral duty only in a very loose sense. It can only be a strict moral duty if, and only if, the entities involved are all moral agents. This is why I think that moral considerability could be a more appropriate terminology. Kenneth Goodpaster has tried to enlarge the reach of moral considerability by extending it to all living beings, irrespective of seemingly common qualities like sentience and interest. He distinguishes two themes: operative and regulative, as they concern moral considerability. “Let us, then, say that the moral considerability of X is *operative* for an agent A if and only if the thorough acknowledgement of X is psychologically (and in general, causally) possible for A. If the moral considerability of X is defensible on all grounds independent of operativity, we shall say that it is *regulative*...as far as I can see, X’s being a living thing is both necessary and sufficient for moral considerability so understood.”¹⁴⁹ Goodpaster’s point is that the moral considerability on the operative level is more restrictive than on the regulative level, given one’s psychological and nutritional considerations. However, other philosophers maintain that an adequate environmental ethics should include both living and non-living natural entities. Katz is one such philosopher. He puts his point thus: “An environmental ethic that is true to the principles of environmentalism must be able to explain the moral consideration of nonliving natural entities as well as living ones. An environmental ethic that considers the moral worth of all natural entities is considering rocks, bodies of water, and shifting sands of a beach to be morally considerable.”¹⁵⁰ Katz thinks that such an ethic could be based on ecosystemic well being. The problem with it is that if a particular natural entity is given consideration solely on the grounds of its role in the ecosystem, what happens when it can be easily replaced by a simulated version of itself or when its role is no longer needed for the proper functioning of the ecosystem? Katz realizes this difficulty. His solution is that entities could also be considered individually as having a good of their own. He had in mind “...the rare endangered species that is no longer a functioning part of the natural ecosystem, or even disease organisms such as the smallpox virus that are on the verge of being totally eradicated.”¹⁵¹ I think the solution I propose offers a better prospect. If we base our respect for all the natural entities on the common origin we

¹⁴⁹ Goodpaster .Christopher. « On being Morally Considerable »...

¹⁵⁰ Katz, Eric, *op. cit.*, p.45.

¹⁵¹ *Ibid*, p. 45.

have with them, then the role they play or do not play would no longer be a deciding factor. This also solves the problem of equating intrinsic function with intrinsic value, as I have already mentioned.

Rolston, for all his insistence on the intrinsic value of nature, does not present non-human nature as moral agents. For him it is only human beings who are moral agents and who should therefore have a moral approach to the rest of nature. He finds this approach typified in John Rodman's commentary on Leopold's "Land Ethic":

We can simply abstract from the last part of this carefully composed book the notion of extending ethics to the land and its inhabitants. The land ethic emerges in the course of the book as an integral part of a sensibility developed through observation, participatory experience, and reflection. It is an "ethic" in the almost forgotten sense of "a way of life". For this reason it would be pretentious to talk of a land ethic until we have let our curiosity follow the skunk as it emerges from hibernation, listened with wonder at the calls of the wild geese arriving at the pond, saved the fallen ancient tree while meditating its history, shot a wolf (once) and looked into its eyes as it died, recognized the fish in ourselves, and strained to see the world from the perspective of a muskrat eye—deep in the swamp only to realize that in the end the mind of the muskrat holds for us a mystery that we cannot fathom.¹⁵²

What is important to note here is that ethics is presented in its "almost forgotten sense of 'a way of life.'" What this type of ethics does is to allow us to see our place in nature and also to understand all the other natural entities and the processes they go through without reading extraterrestrial, or even moral meanings into them.

Callicott, for his part, also thinks that the intrinsic value of non-human nature does not translate into moral value. This is because, according to him, non-human nature cannot reciprocate our moral gestures. How then do we treat these entities? Callicott finds the answer in the Judeo-Christian stewardship interpretation of environmental ethics: "Surely tigers and other predators are not immoral beasts. And it is patently absurd to think that human parasites and disease-causing organisms ought (in the ethical sense) not to afflict mankind; or that natural calamities—like tsunamis and earthquakes—are moral evils. Happily, in the Judeo-Christian stewardship environmental ethic, man's uniqueness among other creatures—his creation in the image of God—results in a moral asymmetry that cuts through this conundrum. We are uniquely privileged, and uniquely responsible."¹⁵³ Callicott's point is that nature is amoral and that only human beings are moral. This morality

¹⁵² Quoted in Rolston, Holmes. *Environmental Ethics*. P.353.

¹⁵³ Callicott, JBaird. *Earth's Insights*, p. 22.

flows directly from the concept of God as the moral ruler of the world. The human being who is made in the image of God is first God's moral subject and consequently the moral caretaker of the world.

But Callicot also acknowledges that one has to believe in such a God for the ethic to be effective. Nonetheless, he has his doubts: "...one must, in other words, believe that a transcendent, personal God exists in fact as well as story; that the natural environment was created pretty much as described in the Bible, and so on. Taken literally, these larger propositions are, to say the least, dubious."¹⁵⁴

It might be useful here to remark that Spinoza, in his *Ethics*, thinks that taking the will of God as the cause of things is ignorance. He calls it the "asylum of ignorance."¹⁵⁵ This, I believe, supports the argument that the respect the religions and cultures discussed in Chapter One accord to the environment, a respect based on the belief that it is created by God, is misleading. Spinoza's emphasis is on the knowledge of the true nature of the environment. The desire to do good is based on another desire which is to understand. It is this understanding that leads to true knowledge.¹⁵⁶ This knowledge is what informs his environmental ethics. According to Naess, the following scenario makes Spinoza's environmental ethics perspicacious:

What might a Spinozist say about contemporary human policy towards nature? He would use fairly strong words: It is acting from ignorance, not from knowledge of the intimate bonds between all living and non-living beings. Further, it is not genuinely acting, it is succumbing to passive effects (These are, among others: hope, fear, despair, pity, humility [from weakness], cowardice, indignation, contempt, disparagement, aversion, hatred, envy, cruelty, dejection, pride, luxury, avarice).¹⁵⁷

¹⁵⁴ *Ibid*, p. 23.

¹⁵⁵ In the appendix to Part I of his *Ethics*, Spinoza repudiated taking things as the will of God. Speaking of the people who do that, he said, "...they will pursue you from cause to cause until you are glad to take refuge in the will of God, that is, the asylum of ignorance. Thus, again, when they see the human body they are amazed, and as they know not the cause of so much art, they conclude that it was made not by mechanical art, but divine or supernatural art, and constructed in such a manner that one part may not injure another. And hence it comes about that those who wish to seek out the cause of miracles, and who wish to understand the things of nature as learned men, and not stare at them in amazement like fools, are soon deemed heretical and impious, and proclaimed such by those whom the mob adore as the interpreters of nature and the Gods. For these know that once ignorance is laid aside, that wonderment which is the only means of preserving their authority would be taken away from them."

Spinoza, Baruch. *Ethics*, Part IV Proposition XXXVII, note I.

¹⁵⁶ Spinoza, Baruch. *Ethics*, Part I Proposition XXIX.

¹⁵⁷ Naess, Arne. *op. cit.*, p.99.

In the preceding chapter, I argued that the intrinsic value of the environment is not moral but aesthetic. In this chapter I have also argued that the right of the environment is not moral but natural. In the following sections I discuss first the aesthetic value and the land ethic and then the legal rights of the entities in the environment and explore the implications of these for environmental ethics.

III. AESTHETIC VALUE AND THE LAND ETHIC

In his aesthetics, Kant distinguishes between judgments of taste and judgments of sense. According to Coleman, this in a way seems to be akin to the distinction between *de jure* and *de facto*.¹⁵⁸ For Kant, the judgment of taste (*de jure*) must be universalizable so that everybody can have an obligation to agree to the judgment. The universal agreement will be a proof that the judgment of taste responds to common sense. Kant makes the point thus:

In all judgment by which we declare something to be beautiful, we allow no one to be of a different opinion, without, however, grounding our judgment on concepts, but only on our feeling, which we therefore make our ground not as private feeling, but as a common one. Now this common sense cannot be grounded on experience for this purpose, for it is to justify judgment that contain a 'should': it does not say that everyone **will** concur with our judgment but that everyone **should** agree with it.¹⁵⁹

Coleman, I think, aptly captures the point Kant is making here. According to him, "Kant seems to be claiming that just as the law must hold for everyone and self-exception must be ruled out, genuine aesthetic judgment requires putting oneself into the position of any rational and sensuous being like ourselves."¹⁶⁰ So, if as rational beings, we judge nature to be beautiful, we can expect all rational beings to agree with our judgment. In this demanding of agreement, our feelings are no longer private, as Kant remarked. One's private feelings can lead one to love nature, but not everyone should be expected to have those same feelings. As rational beings, what is demanded of us is not love for everybody but rather respect for every individual person. Conversely, if our aesthetic judgment should lead to an ethics of respect for nature, then it must be shown that such judgment is valid for all rational beings, irrespective of their private dispositions to the objects in the environment. According to Paul Taylor, "To put

¹⁵⁸ Coleman, Francis X. J. *The Harmony of Reason: A Study in Kant's Aesthetics*, p. 13.

¹⁵⁹ *Critique of the Power of Judgment*, First Section, First Book, Analytic of the Beautiful, §22.

¹⁶⁰ Coleman, Francis X. J. *op.cit.*, p. 13.

it in a Kantian way, to adopt the attitude of respect for nature is to take a stance that one wills it to be a universal law for all rational beings. It is to hold that stance categorically, as being validly applicable to every moral agent without exception, irrespective of whatever personal feelings toward nature such an agent might have or lack.”¹⁶¹ The respect for nature, which we demand of ourselves as moral agents, is based, not on the moral rights of non-human nature, but rather from our understanding of our place in nature.

In his criticism of Rolston’s notion of the intrinsic value of the environment, Rollin posits that the moral value of the environment could well be based on its aesthetic value. “Our legal system has, for example”, argues Rollin, “valuable and irreplaceable property laws that forbid owners of aesthetic objects...to destroy them at will...Moral status also would arise from the fact that humans have an aesthetic concern in not letting a unique and irreplaceable aesthetic object (or group of objects) disappear forever from our *umwelt* (environment).”¹⁶² The point Rollin has made, which is well taken, is that the aesthetic value of something can indeed confer on it enforceable legal rights, as his example shows. Rolston asks, “How to couple aesthetics with ethics? Easily...logically, one ought not to destroy beauty; psychologically, one does not wish to destroy beauty.”¹⁶³ By appealing to psychological and logical factors, Rolston thinks, in what I take to be a plausible interpretation of Kantian natural aesthetics, that in the face of the beauty of the environment, we make demands on ourselves as rational beings.

Rollin criticized what he terms Rolston’s notion that there is moral value in the environment. As pointed out earlier, Rolston does not argue that the environment is a moral agent, or that it has an intrinsic moral value in classical sense of the term moral. Rolston’s aim is that we should have an ethic of the environment; or an extension of moral considerability to the non-human natural entities in the environment. In this sense then, Rollin’s criticism of Rolston is misplaced. Proposing that we have moral regard for the environment does not translate into saying that the entities in the environment should be treated as moral beings, in the sense of being agents. Rollin himself, as the above quotation from him shows, thinks that the moral value, or more precisely, the ethics of artifacts could be established from the

¹⁶¹ Taylor Paul, *op. cit.*, p. 99.

¹⁶² Rollin, Bernard E. *The Frankenstein syndrome*, p. 59-60.

¹⁶³ Rolston, Holmes. “From Beauty to Duty, Aesthetics of Nature and Environment Ethics” in *Environment and the Arts*, p. 140.

aesthetic point of view. But to do this, Rollin notes that the role played by the legal system is crucial in protecting the aesthetic cum ethical value of artifacts—an object is found to be of a very high aesthetic value and a law protecting that value is accordingly enacted. The purpose of the law is to ensure that everyone agrees—or more precisely, should agree—to that judgment. If the object Rollin spoke about is a natural object, then it would respond well to what Kant calls the universal validity of aesthetic judgment. It has nothing as such to do with whether the entity in question has moral right or value. The object in question, as in Rollin's example, is itself oblivious—because unconscious—of all the fuss human beings are making about it. As I pointed out earlier, granting them legal rights is a way of publicly acknowledging their intrinsic value. According to Taylor, “There is no reason...why plants and animals, including whole species populations and life communities, cannot be accorded *legal* rights under my theory. To grant them legal protection could be interpreted as giving them legal entitlement to be protected, and this, in fact, would be a means by which a society that subscribed to the ethics of respect for nature could give public recognition to their inherent worth.”¹⁶⁴ I think it is important to point out here that I have no particular problem with laws being made, as in Rollin's example, to protect artifacts. Most of the time that is what the law does. Such artifacts could be shown to have spiritual, aesthetic or commercial values. But what this thesis is arguing for is the legal right of the environment, based on its intrinsic value. Rollin's example can only be understood as having an analogical import here. If some artifacts are judged as having the kind of aesthetic value that requires a legal protection, all the more do natural entities which have been shown to have intrinsic aesthetic value. This is why Paul Taylor, although his approach is not aesthetic, thinks that the legal rights of natural entities (in this case all living things) should be based on their intrinsic value.

In his “Land Ethic”, Aldo Leopold proposed that there should be some obligation on the part of human beings toward what he called the land—which for him meant the environment as a whole. “There is as yet no ethic dealing with man's relation to the land and to the animals and plants which grow upon it. Land, like Odysseus's slave girls, is still property. The land relation is still strictly economic, entailing privileges but not obligations.”¹⁶⁵ The obligation Leopold had in mind is what he called ethic which for him meant limitation. “An ethic, ecologically,” declared Leopold, “is a limitation on freedom of

¹⁶⁴ Taylor, Paul. *op.cit.*, p. 108.

¹⁶⁵ Aldo, Leopold. *op. cit.*, p. 218.

action in the struggle for existence.”¹⁶⁶ I understand such limitation to imply a legal framework.

IV. “*SHOULD TREES HAVE STANDING?*”

It is this type of legal framework that Christopher Stone was proposing in his book, *Should Trees have Standing?* Stone calls his proposal the “Unthinkable”. According to him, the earliest families, like extended kinship groups and clans were not concerned about other groups and clans external to one’s own. Outside such groups there were people who were devoid of rights, e.g. children and the aged, prisoners, aliens, women, the insane, Blacks, fetuses and Indians.¹⁶⁷ The unthinkable occurs when sympathy is extended to other families and people of all races, when one is interested not only in their welfare but also in their happiness. This kind of regard extends to lower animals. The issue of corporations and states being legal entities was also a long way in becoming a reality too. As Stone notes, “each successive extension of rights to some new entity has been, theretofore, a bit unthinkable.”¹⁶⁸ When rights were denied to Blacks, Chinese, women, it was thought that it had been so decreed by nature and therefore nothing was wrong with the denial. Now we think otherwise!

Stone wants to add to the list of the unthinkables that became thinkable. “I am quite seriously proposing that we give legal rights to forests, oceans, rivers and other so called ‘natural objects’ in the environment as a whole.”¹⁶⁹ But he points out that rights to the environment have to be qualified, proportionately, first in regard to human rights and secondly, in regard to other objects in the environment. Therefore there are two sets of aspects involved in the granting of rights to the environment. One is “the legal-operational aspects”, and the other is the “psychic and socio-psychological aspects.”¹⁷⁰

Stone presents two comparative societies—S1 and S2. In S1, the master of a slave or the mother of a live-born baby sues for damages from one who has injured his slave or child while in S2 the slave himself institutes the legal action or the child files a suit in its own name. The point is that in S2, both the slave and the child are holders of legal rights.

¹⁶⁶ *Ibid*, p.217-218.

¹⁶⁷ Stone, Christopher D. *Should Trees have Standing?*, p. 2.

¹⁶⁸ *Ibid*, p.3.

¹⁶⁹ *Ibid*, p.6.

¹⁷⁰ *Ibid*, p.7.

In common law the environment is like the slave and the fetus in S1, that is, without legal rights. Stone dismisses the assertion that natural objects like forests have no rights because they cannot speak. “Corporations cannot speak either, nor can states, estates, infants, incompetents, municipalities or universities. Lawyers speak for them.”¹⁷¹ So, as Stone proposes, a friend of a natural object (like Friends of the Earth) can speak for it, as its guardian. Stone notes with relief that some progress is being made in this direction.

Since, in common law, the environment has no legal rights, like the slave and the fetus in S1, harm done to the environment had been first regarded as causing hardship to human beings or the human society and then indirectly as affecting the environment itself. Stone is suggesting that we should first see it as harm done directly to the environment. The objects that suffer these damages may not have monetary values or be edible to humans. “...the death of eagles and inedible crabs, the suffering of sea lions, the loss from the face of the earth of species of commercially valueless birds, the disappearance of a wilderness area.”¹⁷² Stone notes that there have been notable shifts in the notion that nature exists for humankind. The emphasis now includes how human beings and nature can exist harmoniously. “Because the health and well-being of mankind depend upon the health and well-being of the environment, these goals will often be so mutually supportive that one can avoid deciding whether our rationale is to advance “us” or a new “us” that includes the environment.”¹⁷³ Some harmful products now carry warnings not only for humans but also for animals and plants. But Stone insists that the environmental protectionists should be less utilitarian in their approach. Our notion that man dominates Nature, which has its basis in some religious philosophical traditions, has to be revisited, Stone insists.

What Stone is advocating, as I understand it, is simply an extension of morality to the non-human world. However, it does not seem very clear whether what he is proposing is moral considerability or a strict moral duty. We need to keep in mind that natural processes are amoral. Morality has been presented in this work as the way humans try to order and regulate affairs that concern them alone. Stone seems to have realized this, and so he advocates that human beings should stand in the place of these entities, as in S1. The reason for this move does not seem clear, except that it enables him to talk of the “property

¹⁷¹ *Ibid*, p. 12.

¹⁷² *Ibid*, p. 22.

¹⁷³ *Ibid*, p. 33.

interests”¹⁷⁴ of these non human natural entities. But can they really be said to *have* property, in the human sense of the term? In S2, it can be said that there is a certain degree of initiative on the part of the slave and the child so that they are not totally oblivious of what is going on as in S1. That is why they can “institute” a legal action in their own names. In S1, the slave and fetus can be said to be totally oblivious of what is going on in their names. So, the environment cannot be plausibly said to be like the slave and the child in S2. Also, his analogy of the environment being like corporations could be quite misleading. This is because such entities are formed by people to pursue their interests while the environment is not. In other words, the corporations are artificial while the environment is not. They cannot be said to exist independently of the humans who create and run them. So, while conceding that what Stone has to say is admirable, I still find it difficult to follow his argument that since we have done this for other hitherto excluded classes of people, we should do the same for all the entities in the environment. In both the protection of natural entities and in sanctioning them, as when a river overflows and destroys plants, animals and landscapes, it is the human being who takes the initiative and decides which action to take. It is the human being who decides what is wrong or right. Unfortunately, Stone acknowledges this problem but did not give much thought to its implications for what he is proposing. His solution is that trust funds should be set up in the name of natural objects like rivers and such funds should be used in cases where the river damages other entities. But on the question of responsibility, he acknowledges the problem that arises thereby but offers no solution. It could be argued that responsibility in this sense should be understood, not as moral responsibility, but as a result of natural processes. What type of responsibility was he talking about? He certainly gives the impression that he is talking of moral responsibility. “The ontological problem would be troublesome here, however, when the Nile overflows, is it the “responsibility” of the river? the mountain, the snow? the hydrologic cycle?...”¹⁷⁵ Can the river be said to be responsible for being and “acting” the way it does? If the answer is yes, then that responsibility could be a moral one. Using responsibility here in the second sense may be quite misleading or seems rather awkward. What place does responsibility have in a process that is purely accidental? Do we need to attribute human categories to the non human world in order to a respect for them? When we say that we need to have respect for them, we address, not these entities, but

¹⁷⁴ *Ibid*, p.22-23.

¹⁷⁵ *Ibid*, p.22-23.

humans. So, should we talk of responsibility at all in this context? Could amoral entities be held “responsible” for their “actions”? Such responsibility means for Stone that a judgment could be delivered against a non-human entity in the environment. Such an entity could therefore be made to bear liabilities. “Incidentally, if ‘rights are to be granted to the environment, then for many of the same reasons it might bear ‘liabilities’ as well—as inanimate objects did anciently. Rivers drown people, and flood over and destroy crops; forests burn, setting fire to contiguous communities. Where trust funds had been established, they could be available for the satisfaction of judgments against the environment, making it bear the costs of some of the harms it imposes on other right holders.”¹⁷⁶ I am not against setting up funds in the name of some non-human natural entities. But such funds should be set up, based on our understanding of certain possibilities which the existence of such entities could bring. And yes, we could use such funds to clean up and remedy after the river overflows and damages things or other natural disasters occur. Such funds could also be used to clean up the river after a pollution that could be as a result of uncontrollable natural processes, like the eruption of a volcano or as a result of an inevitable pollution by humans, as Stone himself notes. But when we take such actions, what should inform them should be our ethics of respect for nature. And where such a respect is lacking, legal action should be brought against the perpetrators.

It is in this context of respect for nature that I must say that I agree with Stone that natural entities should be given legal consideration. But this does not need to be done in the context of moral rights. Rather, it should be done in the context of natural rights, that is, in the awareness that we share a certain kind of nature and intrinsic value with natural, non-human entities in the environment.

This is why I find the approach advanced by Warwick Fox in his idea of the *burden of proof* quite appropriate in this context. Fox has argued that the fact that something has intrinsic value does not mean that it should not be tampered with.

The claim that nature has intrinsic value, that it is valuable in and of itself—if true, puts the *burden of proof* on those who would interfere with, manipulate or exploit it...As Fox points out, to claim that something is intrinsically valuable does not mean that it can never be interfered with under any circumstances. Human beings are generally accepted as having intrinsic value, but in certain circumstances it is morally legitimate to imprison, put

¹⁷⁶ *Ibid*, p. 26-27.

at risk, perhaps even kill, some of them. But if we are to justify such treatment, sufficient justification must be given.¹⁷⁷

This is akin to what Arthur Ripstein, following John Rawls, calls the “reasonableness test”. There is, according to him, a public, objective standard of reasonableness. While the rational person acts exclusively in the pursuit of his or her ends, the reasonable, or representative person is one who takes appropriate precautions against injuring others, makes only allowable mistakes, and maintains an appropriate level of self control when provoked.¹⁷⁸ Ripstein’s target is human interaction but his theory is basically the same as Fox’s burden of proof. It is what should inform our attitude to the environment.

Hargrove was fulfilling the burden of proof when he remarked that wildlife could coexist with sport and subsistent.¹⁷⁹

I pointed out earlier that all the entities in the environment affect other entities directly or indirectly, consciously or unconsciously, through their actions, inactions, or simply their mere presence. But the case of human beings is quite peculiar. The lioness that pounces on a prey animal does that for food. If she attacks, it would be in self defense, or in defense of her cubs. Her actions certainly infringe on the natural rights of other entities. But apparently they are justifiable. The same cannot be said of many human actions. The point is that no animal kills another animal except in response to a natural necessity like hunger and protection of the young. It would be very rare, if not impossible, to see an animal that kills a prey simply with “tomorrow” in mind, or out of hatred or such other vagaries.

Arne Naess was in a way responding to this burden of proof when he spoke of how conscious he was of the way he was treating the plant *salix herbacea* during his stay in the mountains.

I have injured thousands of the little arctic plant *salix herbacea* during nine years of accumulative stay in the mountains, and I shall continue to step on them as long as I live. But I have never felt the need to justify such behavior by thinking that they have less right to live and blossom, or less intrinsic value as living beings, than certain other living beings, including myself. It is simply not possible to live in certain mountains without stepping on these plants, and I maintain that it is justifiable to live there. When I behave as I do I can at the same time admire these plants, acknowledge their equal right to live and blossom with my right.¹⁸⁰

¹⁷⁷ Rowlands, Mark. *op.cit.*, p. 21-22.

¹⁷⁸ Ripstein, Arthur. *Equality Responsibility and the Law*, p. 7.

¹⁷⁹ Hargrove, Eugene. *op. cit.*, p. 137-138.

¹⁸⁰ Naess, Arne. “Intuition, Intrinsic value and Deep Ecology” in *Philosophical Dialogues*, Arne

This is the type of attitude, as mentioned in Chapter One, that the traditional Igboman has towards the animals he slaughters for food by speaking to them, explaining that he is not doing it out of hatred and disdain. It is also this attitude that he has when he digs the lands, clears the forest, builds a bridge, fells a tree, builds roads, etc. These actions are governed by a body of laws known as taboos. It is also this type of attitude that informs the Buddha's tacit approval to the killing of animals for food, the tilling of the soil for cropping, the felling of trees for construction, etc. Even those in the Chipko movement would readily agree that trees should be felled to provide wood for fuel and construction, etc. In his "Land Ethic", Leopold condoned the killing of animals in hunting and other "prudent" uses of the environment. And as the citation from him at the beginning of this chapter makes clear, his ethic does not condemn the use of the entities in the environment. According to Callicot, "Aldo Leopold...did not even condemn hunting animals, let alone eating them, nor did he personally abandon hunting, for which he had had an enthusiasm since boyhood, upon becoming convinced that his ethical responsibilities extended beyond the human sphere."¹⁸¹ These attitudes are the naturally necessary response to the exigencies of survival. Similarly, in Spinoza's ethical system, he found nothing wrong with human beings appropriating natural resources for their own good. This is because, according to him, every being endeavours to persist in its own being.¹⁸² And given that human beings have certain natural characteristics that other natural entities do not have, they will use those characteristics to preserve their being.

In the state of nature every individual has sovereign right to do all that he can; in other words, the rights of an individual extend to the utmost limits of his power as it had been conditioned. Now it is the sovereign law and right of nature that each individual should endeavor to preserve itself as it is, without regard to anything but itself; therefore this sovereign law and right belongs to every individual, namely, to exist and act according to its natural conditions.¹⁸³

However, this has to be understood in the context of the knowledge of the interconnectivity of all things; or environmental enlightenment. According to Lloyd,

Naess and the progress of ecophilosophy, p. 169.

¹⁸¹ Callicott, JBaird. "Animal liberation: a triangular affair" in *Environmental Ethics*, edited by Pojman Louis, p. 52.

¹⁸² Spinoza, Baruch. *Ethics*, XIV 25.

¹⁸³ Spinoza, Baruch. *A Theologico-Political Treatise*, in R.H.M. Elwes (trans), *The Chief Works of Benedict de Spinoza*, 1:200.

“Spinoza’s acquiescence in the exploitation of other species has...a very different basis from this anthropocentric perception of the world which he categorically condemns...We are more perfect than animals: that is, we are capable of a wider range of activities. It is not that he sees this as justification of our having ‘more rights over them than they should have over us’. To be more perfect is just to be more active, to have more power. And virtue is just doing what enhances our activity.”¹⁸⁴ The point being made here is that the fact that we have some peculiar characteristics does not make us superior to other natural entities in the environment. Those entities also have characteristics which, given the way we evolved, we do not have. In that sense they can also be said to have more power over us. Every natural entity therefore perseveres in its being, given its particular natural characteristics. So, persevering or persisting in our being or essence, in Spinoza’s system, does not mean, as Naess points out, that we do not take into consideration the well being of other entities in the environment.

In order to persevere in their essence, people sometimes do things for the sake of others, even for the sake of valleys and landscapes. The terminology of Supreme Court Judge Douglas is well understood. It reveals that the nature or essence of humans may comprise and encompass more than their present policies towards nature attest to. Spinoza’s view of the closeness of each to all is, incidentally, stressed in a new way by Spinoza’s ‘physics’...the treatment there of individuality demands essentially an integration between the individual and its surrounding totality of being.¹⁸⁵

The Supreme Court case referred to by Naess is the one mentioned by Stone where the Justice of the Court declared that the case before him should be “labeled as Mineral King V. Morton”. What led up to this declaration is that “That U.S. Forest Service had granted a permit to Walt Disney Enterprises, Inc. to ‘develop’ Mineral King Valley, a wilderness area in California’s Sierra Nevada Mountains, by construction of a \$35 million complex of motels, restaurant, and recreational facilities. The Sierra Club, maintaining that the project would adversely affect the area’s esthetic and ecological balance, brought suit for an injunction.”¹⁸⁶ The Walt Disney Enterprises argued that the Sierra club had no standing in the matter since it could not claim to have been aggrieved. The case went all the way to the Supreme Court and Justice Douglas made his famous declaration:

¹⁸⁴ Lloyd, Genevieve. “Spinoza’s Environmental Ethics”, in *Philosophical Dialogues, Arne Naess and the progress of ecophilosophy*, p. 80-81.

¹⁸⁵ Naess, Arne. “Environmental Ethics and Spinoza’s Ethics: Comments on Genevieve Lloyds’s Article” in *Philosophical Dialogues, Arne Naess and the progress of ecophilosophy*, p. 99.

¹⁸⁶ Stone, Christopher D. *Should Trees have Standing?*, p. ix.

The critical question of ‘standing’ would be simplified and also put neatly in focus if we...allowed environmental issues to be litigated in the name of the inanimate object about to be despoiled, defaced or invaded...contemporary public concern for protecting nature’s ecological equilibrium should lead to the conferral of standing upon environmental objects to sue for their own preservation. See *Should Tree have Standing?*...This suit would therefore be more properly labeled as Mineral King V. Morton.¹⁸⁷

This reminds one of the conflict between the Chipko movement and the Indian Forestry Department mentioned in chapter one. What is important is that these cases manifest the level of environmental consciousness of the societies involved.

Andrew Brennan cites Chief Seattle who is attributed with giving the following outline of the rich environmental ethics of the Indians that is imbued with the type of consciousness being advocated here:

Our dead never forget this beautiful earth, for it is the mother of the red man. We are part of the earth and it is part of us. The perfumed flowers are our sisters; the deer, the horse, the great eagle; these are our brothers. The rocky crests, the juices of the meadow, the body heat of the pony, and man—all belong to the same family...the rivers are our brothers, they quench our thirst. The rivers carry our canoes, and feed our children. If we sell you our land, you must remember, and teach your children, that the rivers are our brothers, and yours, and you must henceforth give the rivers the kindness you would give any brother...¹⁸⁸

But there are times when inevitable conflicts will develop in our environment which requires that we have to choose to destroy one entity in favor of the others. But I think the *burden of proof* and the *reasonableness test* could adequately handle that. This would be the case in what Emily Brady wonders should be done to a plant that is poisons to animals and other plants. “*Rhododendron ponticum* is toxic to mammals and, in addition to the dense shade it creates, its roots release poison into the soil which kills most plant and insect life. In Wales’s Snowdonia National Park, eradicating this species is a conservation aim in order to protect native ecology, and also, undoubtedly, in an attempt to keep the park wild...”¹⁸⁹ This is clearly a case where a natural entity is to be eradicated because of its adverse effects on other entities. The intrinsic value of the plant is not in question. What is in question is its effects on other members of the ecological community. This would tally with Fox’s burden of proof.

¹⁸⁷ *Ibid*, p. x.

¹⁸⁸ Brennan, Andrew. “Moral Standing of Natural Objects”, in *Environmental Ethics*, vol. 6, spring 1984, p.39-40.

¹⁸⁹ Brady, Emily. “Aesthetics, Ethics and the Natural Environment” in *Environment and the Arts*, p. 114.

There are societies where capital punishment is practiced. In all human societies, people are routinely separated from the rest of the society and put in prison because of their adverse effects on others. In some cases these actions are easily justified, in others, they are not.

In the traditional Igbo culture some human beings were sacrificed to appease the gods, some were even buried alive to accompany the corpse of a prominent personality in order to serve him in the hereafter, and twins were cruelly killed as soon as they were born because their birth was seen as an aberration of the natural processes. Slavery is still being practiced around the world, albeit in forms that are different from the trans-Atlantic slave trade. In the Bible, St. Paul admonishes slaves to be obedient to their masters. There are cultures that still practice infanticide and senicide. In Plato's *Republic*, he advocated infanticide on the basis that such children are born without the sanction of the state. His prescription was that men and women should only have children at the allowed ages and with the allowed mates. After that age, they should no longer legally beget children. If they do, then it shall be seen that "...no child, if any be conceived, shall be brought to light, or if they cannot prevent its birth, to dispose of it on the understanding that no such child can be reared."¹⁹⁰ These actions can only be justified on the grounds of religious and abstract laws that betray a warped understanding of the environment, including human beings, as having no real value of their own. Curiously, in the Igbo traditional culture, one sometimes notices respect for other entities in the environment to the detriment of humans. Earth and the rivers, for instance, were entities to which human beings were sometimes sacrificed. Of course such sacrifices were carried out in the names of the gods or goddesses that such entities represented. One sometimes sees large trees and bushes standing in the middle of the road because they "refused" to be cut down during construction. Such things obstruct the free flow of traffic and sometimes lead to fatal accidents. This is somehow similar to Rolston saying that humans be shot to save an endangered species of plant. "On San Clemente Island, the U.S. Fish and Wildlife Service and the California Department of Fish and Game asked the Navy to shoot 2000 feral goats to save three endangered plant species, *malacothamus clementinus*, *Castilleja grisea*, and *Delphinium kinkiense*. That would kill several goats for each known surviving plant. (Happily, the Fund for Animals rescued most of the goats; unhappily they could not trap them all and the issue is unresolved.) The National Park did kill hundreds of rabbits on Santa Barbara Island to protect

¹⁹⁰ Plato, *The Republic*, Part II, chapter XVI, p. 161 in Francis MacDonald Conford's translation.

a few plants of *Dudleya traskiae*, once thought extinct and curiously called Santa Barbara live-forever.”¹⁹¹ Rollin raised the issue of the San Clemente Island and asked Rolston what he would suggest if human beings, instead of goats, were involved. “...I asked him to imagine an imaginary case, one in which the endangered plant was threatened not by animals but by teenage trail bikers who persisted in driving over it. ‘Shoot them as well’, he replied instantly.”¹⁹² I think situations like these should call for deliberation and not just instant answers like the one Rolston gave. I have in mind the type of deliberations that go on in the courts, like the one Stone advocates. Humans should be the ones to decide what to do at the end. But such decisions should be made without taking the natural entities as moral beings or simply seeing them as instruments to maximize human welfare. It should be the type of decisions cultures that engage in infanticide and senicide have to make. Respect for the entities on whom decisions are being made should be paramount in the decision making process. I think that initially, both farming and hunting involved these types of decisions.

A viable environmental ethic could and indeed did accommodate interfering with human life and comfort as Callicott points out, talking of primitive peoples: “...population was routinely optimized by sexual continency, abortion, infanticide, and stylized warfare.”¹⁹³ But the infanticide Plato proposed, and the one practiced in Igbo traditional culture do not respond well to what Spinoza calls an exigency of the instinct of preservation but rather were meant to satisfy an abstract law or an abstract god. In this sense they are clearly abuses of the natural rights of infants and such abuses cannot pass the reasonableness test. Nor can they bear the Foxian burden of proof. They are, according to Callicott, an imposition of “artificial legalities, rights, and so on, on nature.”¹⁹⁴ Most of the activities of multinational companies that unscrupulously pollute and degrade the environment around the world, with their eyes myopically fixed on pecuniary advantages cannot bear this burden of proof.

What is crucial in our appropriation of other entities in the environment is that we should do it with an enlightened and highlighted environmental consciousness, as Spinoza, Leopold, Naess, Rolston, etc, have been advocating. And that means that, not only are we part of nature, but also that these entities have intrinsic value. What this entails is that we need to

¹⁹¹ Rolston, Holmes. *Philosophy Gone Wild*, essays in environmental ethics, p. 211.

¹⁹² Rollin, Bernard E. *op. cit.*, p. 60.

¹⁹³ Callicott, JBaird. “Animal liberation: a triangular affair” in *Environmental Ethics*, edited by Pojman Louis, p. 59.

¹⁹⁴ *Ibid*, p. 59.

have a kind of regard for them. This kind of regard could be incorporated into an ethics of respect for the environment. It is this type of ethics that would help us address the environmental crisis we are facing now.

In a rather hastily reasoned argument, Narveson claims that there is no environmental problem at present. He asserts that “People in Los Angeles, with all of its smog and even with its panoply of social problems, are much better off now than the band of natives who occupied the area five centuries earlier, despite the complete absence of smog (may be—for we don’t know how many wood fires they burned!).”¹⁹⁵ Until I gain a different understanding of Narveson’s position, I fail to see the connection between the smog and being better off. I also do not see how the wood smoke in Indian villages compares with the smog in a heavily industrialized society like Los Angeles. Nor do I agree that a group of people living in this millennium could lay claim to being better off than those who came before them in the preceding millennia simply because of the gadgets they have been able to produce, coupled with their consumerism. I also wonder if the smog is not too high a price to pay for being “better off”. As for the band of natives, those of them who still survive in scattered settlements are indeed “worse off” because of their forceful separation from their way of life, a way of life that has harmony with the entities in the environment as an intrinsic part. According to Arne Naess, “Industrial people interfere so severely with the natural processes that even a very small number of them can significantly alter the landscape...It is not possible for people living in the United States to interfere as little with the wilderness as did the traditional American Indian.”¹⁹⁶ If there is no environmental crisis at present, caused chiefly by humans, how do we explain phenomena like the greenhouse, depletion of the ozone layer and global warming, etc? How do we explain what Castro expressed as “...Millions of tons of chlorofluorocarbons advancing toward the ozone layer, more and more millions of carbon dioxide, millions, hundreds of million, billions of tons of this gas...”¹⁹⁷ that are emitted to the atmosphere on a yearly basis? In my native land multinational oil companies have been flaring gases for over five decades. They claim that it is the only way they can profitably get rid of their gaseous by-products. The profit they are generating may be making some people

¹⁹⁵ Narveson, Jan. *op. cit.*, p. 120.

¹⁹⁶ Naess, Arne.. The Third World wilderness a Deep Ecology , in *The Great New Wilderness Debate*, p. 281.

¹⁹⁷ Castro, Fidel, “Global Economic Crisis” in *Capitalism in Crisis, Globalization and world politics today*, edited by David Deustschmann, p. 53.

“better off”. But whoever those people are, they certainly are not those living in those oil producing communities. On the contrary, what they (people living in those areas) experience is what Ken Saro-Wiwa calls “...a blighted countryside...atmosphere full of carbon dioxide, carbon monoxide, and hydrocarbons; a land in which wildlife is unknown; a land of polluted streams and creeks, of rivers without fish, a land which is, in every sense of the term, an ecological disaster.”¹⁹⁸

The question then, for any group in its environmental ethics, is not whether it can live with it in the short term, that is, get away with it, but whether such ethic is indeed viable in the long term. This is where I find the comparison between the environments in an Indian village with that in a city like Los Angeles rather appalling. People living in Los Angeles may be “better off” in terms of technological advancement but certainly not in their environmental consciousness as compared to how the Natives saw the environment. As we have seen in the citation attributed Chief Seattle, their societies have a viable environmental ethics which stands in sharp contrast to contemporary—destructive—practices. As Callicott points out, such ethic ensured that such societies had subsisted the longest in the history of our species, and is therefore worthy of emulation. “It is impossible today to return to the symbiotic relationship of Stone Age man to the natural environment, but the ethos of this by far the longest era of human existence could be abstracted and integrated with a future human culture seeking a viable and mutually beneficial relationship with nature.”¹⁹⁹ For this ethic to be effective, it has to be backed up with a legal framework as we have seen in Stone, otherwise it would be as ineffective as that of the Igbo environmental ethic that had only a religious framework. Such a legal framework would have terms like “ecocriminality”, “ecocide”, etc, as currency. This must also include—as it already does, but must do more effectively—what Fidel Castro calls “...international agreement aimed at preserving nature based on a universal sense of the common heritage of humanity.”²⁰⁰ I take it that the heritage he is speaking of be informed by a proper understanding of the environment and our place in it.

¹⁹⁸ Saro-Wiwa, Ken. *op. cit.*, p. 74.

¹⁹⁹ Callicott, JBaird. “Animal liberation: a triangular affair” in *Environmental Ethics*, edited by Pojman Louis, p. 59.

²⁰⁰ Castro, Fidel, “For a just, globalized world” in *Capitalism in Crisis, Globalization and world politics today*, edited by David Deustschmann, p. 7.

CONCLUSION

“Can aesthetics be an adequate foundation for an environmental ethic? This depends on how deep your aesthetics goes.”²⁰¹

The argument in this thesis has been for the natural and legal rights of the environment, and that we humans should have an ethics of respect for the other natural entities in the environment. These rights and this ethics are based on the ontological independence of the environment, on which in turn is based its intrinsic aesthetic value. I believe I have established this ontological independence from the fact that the environment is not willfully created but is rather a product of accidental natural processes.

If we accept that natural right is a right an entity possesses by virtue of its nature, as in the case of human rights, then we can also, in the same vein, talk of the natural right of all the entities that make up the environment. Every human being has a common nature that he/she shares with every human. It is on this nature that natural human right is based. What the other natural entities in the environment have in common with humans is a common origin. They all evolved as a result of accidental natural processes. So, if humans have natural rights based on that origin, so do all the entities that have the same origin. Intrinsic value has also been established on that same nature. This, as I argued, is because since their origin is accidental, natural entities cannot be said to have been created for any original purpose. Their value can therefore not be said to be just instrumental. If as humans we have intrinsic value due to our nature, natural entities who share in that nature also share in that intrinsic value. I have also argued that whereas the intrinsic value of humans can be said to be moral, that of non-human natural entities are not. This is because the peculiar characteristics we have that make us moral agents are lacking in those other entities.

Since, therefore, the intrinsic value of non-human nature is not moral; my argument has been that it is aesthetic. If we grant that our appreciation of nature should be conceptless, as Kant argued, then it means that we do not determine a priori what is before us but rather allow nature to “speak” to us. The role ontological independence and intrinsic value play in our appreciation of nature is crucial. Whereas artifacts are made with a purpose in the mind of

²⁰¹ Rolston, Holmes. “From Beauty to Duty, Aesthetics of Nature and Environment Ethics” in *Environment and the Arts*, p. 140.

their creators, natural entities have no such purpose. Our appreciation of them should therefore be disinterested. It is on such disinterested appreciation that an environmental ethic can be based. Kant argued that although our appreciation of nature is subjective, and conceptless, it can lay claim to universal validity. Kant's argument, which is worth repeating here, is that the judgment through which something is declared to be beautiful is the one that is grounded, not on a private feeling, but on a common one. If it is grounded on a common feeling, then, as Kant claims, we can no longer say that everybody will agree with it. What we say then is that everybody should agree with it. For Kant, what we have in common, as human beings, is our reason. So, the judgment we make about the beauty of the environment is a rational one to which every rational person should agree. One could therefore will that such a judgment could be made into a universal law, valid for all rational beings.

So if one says that we should adopt an ethics of respect for nature and such a person is asked why that should be the case, he would reply that it is because nature is beautiful. He would argue that the judgment that nature is beautiful is not a private one, based on private experiences, but rather a rational one, to which every rational being should agree. We may not find a particular artifact beautiful, or evoking sadness, even though its creator has made it with such a concept in mind. This is because one could argue that the reason why the creator made the artifact with such a concept could be attributed to his personal experiences. But when it comes to nature, since it is not made with any concept in mind, and therefore should not be appreciated with any concept in mind, the judgment on its beauty should have a universal validity since its appreciation is disinterested.

It is a fact, of course, that not all humans have been able to agree to the judgment that nature is beautiful. This is a difficulty that could be said to be inherent in the aesthetic approach to environmental ethics. An example is the difference between the ways people from the Judeo-Christian tradition and those imbued with an approach to the environment that emphasizes our oneness with all the natural entities, people represented by individuals like the Crocodile Hunter, Christopher Stone, look at the environment. A snake or landscape that is seen as beautiful by the latter may be seen as downright ugly, dangerous and worthless by the former. Whose aesthetic viewpoint should be universalized in this case? I cannot hope to solve this type of difficulty here. This is because one cannot, and indeed should not, physically force people to think in a particular way. The only solution I can offer is the force

of argument. As rational beings, if we understand our place in nature, and also understand that the judgment that nature is beautiful should be a disinterested one, we cannot but see it as beautiful. One can also question the environmental consciousness that informed the judgment that nature is ugly. It could very well be coming from a preconception of what the environment is. Such a preconception could be traced to the religions or cultural views that are removed from the environment itself, not *seeing* what is there but *seeing what one has been taught to see*. A good example is "...St. Thomas Aquinas in his *Summa Theologiae* who held that some animals were satellites of Satan: 'instigated by the powers of hell and proper to be cursed.'"²⁰² A Kantian solution could also be useful. Could one universalize the judgment that says that nature is beautiful or the one that says that nature is ugly? What would be the implication of both? I submit that the judgment that nature is beautiful is the one that we as rational beings should make. This is because it holds more promise for an environmental ethic that is informed by a proper understanding of our place in nature. That ethic is the one of respect for nature, respect that is born out of the awareness that we share a common origin with all the natural entities in the environment. In this sense, seeing nature as ugly would be an aberration, or what Spinoza would call ignorance. Such ignorance has led to some humans who, because of the accident of geography or biology, were born in a certain place, with a certain sex, seeing other humans who are different as less human and treating them accordingly.

Genevieve Lloyd, commenting on Spinoza's environmental ethics, also offered a plausible solution when she remarked that "Children who are educated to regard themselves as 'but a part of nature', would for the most part, surely, orientate themselves differently towards other species from those who are explicitly taught that man holds a privileged position in the universe."²⁰³ Thus, the environmental laws made in such societies would reflect the level of their environmental consciousness.

So, back now to Rolston's question, cited at the beginning of this conclusion. It is the question he asked and then answered in the affirmative. "Can aesthetics be an adequate foundation for an environmental ethic? This depends on how deep your aesthetics goes. No, where most aestheticians begin, rather shallowly...Yes, increasingly, where aesthetics itself

²⁰² In Linzey, Andre. « For God so loved the World », in Sterba, James P. *Earth Ethics, Introductory Readings on Animal Rights and Environmental Ethics*, p. 27.

²⁰³ Lloyd, Genevieve. *op. cit.*, p. 87.

comes to find and to be founded on natural history, with humans emplacing themselves appropriately on such landscapes. Does environmental ethics need such aesthetics to be adequately founded? Yes, indeed.”²⁰⁴ Rolston argues that such aesthetics should lead to a duty. One can discern a hesitation, nay an equivocation, when he talks of duty. This is because, I think, he realizes that he cannot take it to mean strictly moral duty. So he talks equally of admiration, caring and respect as synonyms for the kind of duty he was referring to.

Duty is what is ‘owing’ to others in one’s communities. Most immediately, this is the social community of classical ethics; and now environmental ethics includes the biotic community, a land ethic. What is ‘owing’ to fauna, flora, species, ecosystems, mountains and rivers, to Earth, is appropriate respect. Whether this is better termed ‘caring’ or ‘duty’ will no longer be an issue when we feature these natural properties and processes...and ask what is an appropriate admiration is for them. This expanded aesthetics includes duties, if you wish to phrase it that way; or this enlarging aesthetics transforms into caring, if that is your linguistic preference.²⁰⁵

Although Rolston does not see non-human natural entities as moral beings, he is convinced that we should have an ethics of the environment. From this ethics, two meanings of duty can be plausibly distinguished. The first is the moral duty of “classical ethics”. It is the duty that concerns humans exclusively. The second is how humans treat the non-human natural entities in the environment, or “environmental ethics” which includes how we treat the biotic community, flora, fauna, mountains, rivers, the Earth. In this second sense then, ‘Duty’, ‘admiration’, ‘caring’ and ‘respect’ can all converge into a legal framework that reflects our attitude to the environment. Stone has shown how this type of legal framework could be applied. It is a good way of respecting the wonder that the environment elicits from us.

²⁰⁴ Rolston, Holmes. “From Beauty to Duty, Aesthetics of Nature and Environment Ethics” in *Environment and the Arts*, p. 140.

²⁰⁵ *Ibid* p. 140.

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